

Jackson Town Council Regular Meeting

October 18, 2021

6:00 PM

Town Council Chambers

NOTICE: THE VIDEO AND AUDIO FOR THIS MEETING ARE STREAMED TO THE PUBLIC VIA THE INTERNET AND MOBILE DEVICES WITH VIEWS THAT ENCOMPASS ALL AREAS, PARTICIPANTS AND AUDIENCE MEMBERS. **PLEASE SILENCE ALL ELECTRONIC DEVICES DURING THE MEETING**

I. ZOOM LINK FOR PUBLIC PARTICIPATION

To join, click the link or copy to your browser: <https://us02web.zoom.us/j/83687419581?pwd=dzhjeUdWbzBINjFOSFd6eFp0UEExQT09>

If the link does not work, join at zoom.com with Webinar ID **836 8741 9581** Password: **83001**

or join by phone **1.253.215.8782** with Webinar ID **836 8741 9581** and Passcode **83001**

II. OPENING

- A. Call to Order and Roll Call
- B. Pledge of Allegiance
- C. Announcements/Proclamations
 - 1. Proclamation for National Disability Awareness Month
 - 2. Fall Clean Up and Burn Week Proclamation
 - 3. Introduce New Employees Clay Wilson and Bruce Abel

III. PUBLIC COMMENT

This section is reserved for comments on items that are not otherwise included in this agenda. Public comment is limited to 3 minutes. As a general practice, the Council will not hold discussion or debate these items. Nor will they make decisions on items presented during this time, but rather refer to staff for follow-up. If you would like to speak to the Council during the meeting, please address them during this open public comment, when public comment is called on a specific agenda item, or send an email to Council@jacksonwy.gov.

IV. CONSENT CALENDAR

All matters listed in this section are considered to be of routine nature by the governing body and will be enacted in one motion, unless it is removed from the consent calendar and considered separately by Council. Public comment may be given on any item.

- A. Meeting Minutes
 - 1. October 4, 2021 regular meeting
 - 2. October 11, 2021 special workshop
 - 3. October 12, 2021 special meeting
- B. Disbursements
- C. September Municipal Court Report
- D. Exhibit Hall Lease
- E. Lease Amendment to Fairgrounds Cell Tower
- F. Item P21-210: 580 S. Willow St. Encroachment Agreement
- G. Item P21-218: Water Sewer Connection Request 10 E. Snow King Avenue
- H. Item P21-247: 172 Center St. Lower Valley Gas Easement

V. PUBLIC HEARINGS, DISCUSSION AND/OR POSSIBLE ACTION ITEMS

Please note that at any point during the meeting, the Mayor and Council may change the order of items listed on this agenda. In order to ensure that you are present at the time your item of interest is discussed, please join the meeting at the beginning to hear any changes to the schedule or agenda.

A. Administration

1. Council Rules and Procedures Update (Roxanne Robinson)
2. Request to Change Eating Counter Design for Kampai Holdings, LLC (Lynsey Lenamond)
3. Transfer of Retail Liquor License from Teton Gables LLC to Movieworks LLC (Lynsey Lenamond) *agenda documentation forthcoming*
4. Rodeo 2021 Report and 2022 Dates (Roxanne Robinson)

B. Community Development

1. **Item P21-172:** Text Amendment Regarding Definition of Family and Residential Occupancy Requirements (Tyler Sinclair)

VI. RESOLUTIONS

- A. **Resolution #21-27:** FY22 Budget Amendment #1 (Kelly Thompson)

VII. ORDINANCES

- A. **Ordinance O:** Text Amendment to the LDRs for the NL-5 Zoning Districts (presented for third reading and designated #1299, Tyler Valentine)
- B. **Ordinance Q:** Vacancies in Elected Office (presented for first reading, Roxanne Robinson)

VIII. MATTERS FROM MAYOR AND COUNCIL

- A. Virtual Setting for Next Month's Town Council Meetings
- B. Board and Commission Reports

IX. MATTERS FROM THE TOWN MANAGER

- A. Town Manager's Report

X. ADJOURN

Please note that at any point during the meeting, the Mayor and Council may change the order of items listed on this agenda. In order to ensure that you are present at the time your item of interest is discussed, please join the meeting at the beginning to hear any changes to the schedule or agenda.

A PROCLAMATION RECOGNIZING AND COMMEMORATING THE 76TH ANNIVERSARY OF NATIONAL DISABILITY AWARENESS MONTH

Recognizing and commemorating the 76th anniversary of National Disability Employment Awareness Month.

76th Anniversary of National Disability Employment Awareness Month

WHEREAS, October 2021 marks the 76th anniversary of National Disability Employment Awareness Month; and

WHEREAS, The purpose of National Disability Employment Awareness Month is to educate about disability employment issues and celebrate the many and varied contributions of America's workers with disabilities; and

WHEREAS, The history of National Disability Employment Awareness Month traces back to 1945 when Congress enacted a law declaring the first week in October each year "National Employment the Physically Handicapped Week;" and

WHEREAS, In 1962, the word "physically" was removed to acknowledge the employment needs and contributions of individuals with all types of disabilities; and

WHEREAS, In 1988, Congress expanded the week to a month and changed the name to National Disability Employment Awareness Month; and

WHEREAS, Workplaces welcoming of the talents of all people, including people with disabilities, are a critical part of our efforts to build an inclusive community and strong economy; and

WHEREAS, Activities during this month will reinforce the value and talent people with disabilities add to our workplaces and communities and affirm Jackson's commitment to an inclusive community that increases access and opportunities to all, including individuals with disabilities.

Therefore, be it **RESOLVED**, That the Town of Jackson recognize and commemorate the 76th anniversary of National Disability Employment Awareness Month; and be it further

RESOLVED, That the Town of Jackson call upon employers, schools, and other community organizations to advance the message that people with disabilities add value and talent to our workplaces and communities; and be it further

RESOLVED, That the Town of Jackson pledges to take steps throughout the year to recruit, hire, retain, and advance individuals with disabilities and work to pursue the goals of opportunity, full participation, economic self-sufficiency, and independent living for people with disabilities.

DATED THIS 18th DAY OF OCTOBER 2021.

TOWN OF JACKSON

Hailey Morton Levinson, Mayor

ATTEST:

Lynsey Lenamond, Town Clerk

2021 FALL CLEAN-UP DAY and BURN WEEK

WHEREAS, it is customary in the fall of each year to declare a burn week for citizens of the Town of Jackson to use controlled burns to clean up their property by burning only dry grass, leaves, twigs, small branches, and clean wood; and

WHEREAS, the Town of Jackson and Teton County Integrated Solid Waste and Recycling have partnered to create the 6th Annual Fall Clean-Up with a common goal to encourage residents to divert yard-waste away from the landfill, so that it may be composted locally; and

WHEREAS, citizens may pick up free, compostable paper bags to collect their yard waste, that are available beginning **October 15th** at Town Hall, Public Works and the Recycling Center; and

WHEREAS, residents participate in **Fall Clean-Up Day** and may drop off residential yard waste on Friday, **November 5th**, between 9:00 AM and 6:00 PM at the rodeo grounds; and

WHEREAS, residents may also drop-off up to 500 pounds of residential yard waste at the Trash Transfer Station free-of-charge from **November 1st-November 6th** during normal operating hours; and

NOW, THEREFORE, I, Hailey Morton Levinson, Mayor of the Town of Jackson, do hereby proclaim Friday, **November 5th** as **Fall Clean-Up Day** and encourage citizens to participate in this community event;

AND FURTHER, proclaim **October 30th-November 7th** as **Fall Burn Week** and remind citizens to contact the Jackson Hole Law Enforcement Agency at 733-2331 prior to starting outside burns.

DATED THIS 18th DAY OF OCTOBER 2021.

TOWN OF JACKSON

Hailey Morton Levinson, Mayor

ATTEST:

Lynsey Lenamond, Town Clerk

TOWN COUNCIL PROCEEDINGS - UNAPPROVED

October 4, 2021

JACKSON, WYOMING

The Jackson Town Council met in a regular session at 6:00 P.M. This meeting was held virtually through the Zoom platform. Upon roll call the following were found to be present:

TOWN COUNCIL: *In-person:* None. *Via Zoom:* Vice Mayor Arne Jorgensen, Jonathan Schechter, Jim Rooks, and Jessica Sell Chambers. Mayor Hailey Morton Levinson was absent.

STAFF: Larry Pardee, Lea Colasuonno, Tyler Sinclair, Roxanne, Robinson, Brian Lenz, Floren Poliseo, Kelly Sluder, Kelly Thompson, Johnny Ziem, Michelle Weber, and Lynsey Lenamond.

Vice Mayor Jorgensen led those in attendance in the Pledge of Allegiance and introduced new employee Zackery Edwards. The Vice Mayor read a proclamation recognizing October 2021 as Domestic Violence Awareness Month.

Public Comment. Tracey Trefren made public comment.

Consent Calendar. A motion was made by Jim Rooks and seconded by Jessica Sell Chambers to approve the consent calendar including items A-H as presented with the following motions.

A. Meeting Minutes. To approve the meeting minutes as presented for the September 20, 2021 workshop, September 20, 2021 regular meeting and September 27, 2021 special meeting.

B. Disbursements. To approve disbursements as presented. ACE HARDWARE \$1,705.37; ADVANCED NETWORK MANAGEMENT, INC. \$18,683.16; ADVANCED PUMP & EQUIPMENT, INC \$484.76; AMAZON \$2,147.18; ANDERSON, JACOB \$155.00; APEX SAGE INC \$6,259.43; APPLE INC \$58.00; AT&T \$1,729.80; BALIGAD, LINDSEY \$240.00; BESTDRIVE IDAHO FALLS \$2,857.38; BISON LUMBER \$14.16; BLUE SPRUCE CLEANERS, INC \$129.90; BMV LLC \$64.22; BRIGGS, ERIC L \$389.90; CARQUEST AUTO PARTS INC. \$926.03; CELLEBRITE USA \$3,850.00; CENTRALSQUARE \$1,508.26; CENTURYLINK \$2,194.80; CERTIFIED LABORATORIES \$1,800.20; COBAN TECHNOLOGIES, INC \$1,415.00; COMMUNITY SAFETY NETWORK \$200.00; CONTROL SYSTEM TECHNOLOGY, INC. \$5,641.25; CONVERGEONE, INC \$961.16; COPYWORKS, LLC \$69.90; CORE & MAIN LP \$2,866.58; DIVISION OF CHILD SUPPORT ENFORCEMENT \$509.23; E.R. OFFICE EXPRESS \$98.65; ECOR \$1,030.05; ELECTRICAL WHSLE SUPPLY CO INC \$118.23; ENERGY LABORATORIES INC. \$436.00; ENTERSECT \$1,003.00; EVANS CONSTRUCTION INC \$19,854.34; FIRE SERVICES OF IDAHO \$2,854.00; FLEETPRIDE \$287.40; FURBER, WINSLOW \$100.00; GE SOFTWARE \$145.00; GFOA \$170.00; GILLIG LLC \$3,420.79; GM SHEET METAL LLC \$214.00; GREAT DIVIDE EARTHWORKS LLC \$2,470.00; GREENWAY PAINTING LLC \$17,078.42; GYM OUTFITTERS INC \$135.00; HD FOWLER COMPANY \$440.13; HIGH COUNTRY LINEN \$1,252.82; HOLE FOOD RESCUE \$5,000.00; IDENTI-KIT SOLUTIONS \$408.00; IDENTISYS, INC \$2,014.26; IMMIGRANT HOPE \$1,406.25; INNOVYZE \$1,372.00; INTERSTATE BATTERY \$133.95; JACKSON CURBSIDE INC. \$2,047.50; JACKSON HOLE COMMUNITY COUNSEL \$1,912.50; JACKSON HOLE LAW, PC \$3,003.75; JACKSON HOLE NEWS & GUIDE \$6,785.92; JACKSON LUMBER INC \$75.77; JACKSON PAINT AND GLASS, INC. \$0.00; JH20 WATER CONDITIONING & FILTRATION \$76.50; JMAF SOFTWARE, LLC \$2,000.00; JORGENSEN ASSOCIATES, PC \$24,116.50; KENWORTH SALES COMPANY DEPT #1 \$592.38; KILMER'S BG DISTRIBUTING \$3,876.00; LANGUAGE TESTING INTERNATIONAL, INC \$281.00; LAWLESS, DON \$1,193.48; LENOVO (UNITED STATES) INC. \$1,249.95; LOCAL GOV'T LIABILITY POOL \$2,000.00; LONG BUILDING TECHNOLOGIES INC. \$240.00; LSC TRANSPORTATION CONSULTANTS, INC \$5,195.00; MATEOSKY CONSTRUCTION \$2,221.00; MAVERICK DIESEL & EQUIPMENT \$3,250.00; MILLER SANITATION \$7,770.00; MOUNTAIN ELECTRICAL \$958.70; MSC INDUSTRIAL SUPPLY CO \$257.63; NAPA AUTO PARTS INC. -\$3,260.03; NELSON ENGINEERING \$4,190.10; ON SIGHT LAND SURVEYORS INC. \$300.00; PREMIER TRUCK- SALT LAKE CITY \$1,579.84; PREMIER VEHICLE INSTALLATION, INC \$130.00; PROCESS TECHNOLOGY, INC \$20,192.55; PROFORCE LAW ENFORCEMENT \$14,094.60; QUADIENT LEASING USA, INC. \$468.69; RON'S TOWING \$175.00; ROSS CONCRETE CONST LLC \$4,230.00; RUSCHILL, RUSSELL \$244.26; RUSH TRUCK CENTER, IDAHO FALLS \$1,440.49; SAFELITE FULFILLMENT INC \$381.90; SCHMILLEN, SCOTT \$3,780.00; SENIOR CENTER OF JACKSON HOLE \$29,126.25; SILVER CREEK SUPPLY \$248.46; SILVERSTAR \$869.73; SNAKE RIVER ROASTING \$293.70; SPRING CREEK ANIMAL HOSPITAL \$70.20; SWAGIT PRODUCTIONS, LLC \$1,775.00; TETON COUNTY CLERK \$24,361.03; TETON MOTORS INC \$2,874.82; TIMBERLINE CONCRETE \$638.25; TMSC LLC \$11,660.60; TWO OCEAN BUILDERS, LLC \$15,000.00; UPPER CASE PRINTING INK \$307.08; VALENTINE, TYLER \$155.00; VAZQUEZ, JORGE LOPEZ \$1,500.00; VISA \$27,378.75; VISTA ENGINEERING LLC \$1,800.00; WESTBANK SANITATION \$1,760.58; WESTWOOD CURTIS \$36,563.16; WHITE GLOVE CLEANING, INC. \$1,127.50; WRENCH IT PLUMBING & HEATING INC \$3,178.24; WY CHILD SUPPORT ENFORCEMENT \$146.76; WYOMING GARAGE DOOR, LLC \$2,823.20; WYOMING.COM INC \$5.00; WY-TEST \$1,120.00; XEROX CORPORATION \$304.12; YELLOW IRON EXCAVATION, LLC \$790.00

C. August Municipal Court Report. To place the August 2021 Municipal Court Report into the record.

D. P21-216 Temporary Sign Permit Habitat. To approve the temporary banner in conjunction with Habitat for Humanity of the Greater Teton Area subject to three (3) conditions of approval: 1. The use of site shall be granted by the property owner. 2. The sign shall not be located on the sidewalks or in the public right of way. 3. The sign is approved for the following locations: 105 Buffalo Way, Albertson's during: November 1 – November 15.

- E. P21-226 Temporary Sign Permit TCSAR.** To approve the temporary banner in conjunction with Teton County Search and Rescue Foundation subject to three (3) conditions of approval: 1. The use of sites shall be granted by the property owner. 2. The signs shall not be located on the sidewalks or in the public right of way. 3. The signs are approved for the following locations: 105 Buffalo Way, Albertson's during: October 10 – October 24, 100 E. Snow King, Phil Baux Park during: October 10 – October 24.
- F. Relocation of TOJ Easement Across Snow King Mountain Resort.** To approve the Roadway Access Easement Agreement and authorize the Mayor to execute it, subject to minor changes deemed necessary by the Town Attorney.
- G. START Bus Surplus Disposal.** To declare Bus #279 as surplus and direct staff to proceed with removal of the vehicle from Town Property.
- H. Housing Trust Partial Waiver of First Rights for Specific Project.** To: 1. Approve the Partial Waiver and Release of Rights of First Purchase or Rental Agreement, as presented, between the Town of Jackson and the Jackson Hole Community Housing Trust, based on the information provided in the letter and this staff report; and 2. Direct staff to work with the Jackson Hole Community Housing Trust to amend or replace, as appropriate, the agreement approved in No. 1 such that the waiver and release applies to the two specific projects being built with restricted funds, once said projects are identified, and bring back that subsequent agreement to Council for review and approval at a future Council meeting.
- The vote showed 4-0 in favor and the motion carried.

P21-156 Indian Springs Sewer Connection Request. Matt Kim-Miller made public comment. A motion was made by Jonathan Schechter and seconded by Jessica Sell Chambers to 1) approve the Indian Springs Ranch HOA, Inc. request for sewer collection and treatment services subject to the conditions of approval set forth in this staff report; 2) direct staff to draft an appropriate Sewer Service Connection and Use Agreement, as determined by the Town Attorney and recognizing said agreement may be between the Wilson Sewer District and the Town, providing sewer collection and treatment services for the Indian Springs Ranch HOA Community Lots; and 3) present the Agreement to Council for consideration at a future Council Meeting. Vice Mayor Jorgensen called for the vote. The vote showed 4-0 in favor and the motion carried.

Contract Approval Wastewater Treatment Plant Technical Review. A motion was made by Jonathan Schechter and seconded by Jessica Sell Chambers to approve the contract with Trihydro, Inc. in the amount of \$159,674, allocate an additional \$60,000 in Sewer Enterprise funds to the project, and authorize the Mayor to execute all necessary contract documents, subject to review and minor changes by the Town Attorney. Vice Mayor Jorgensen called for the vote. The vote showed 4-0 in favor and the motion carried.

Rodeo Concession Agreement. Roxanne Robinson made staff comment. Audrey Cohen-Davis and Levi Wilson made public comment. A motion was made by Jonathan Schechter and seconded by Jim Rooks to approve the Rodeo Concession Agreement with a term of 2022 – 2026 as presented and authorize the Mayor to execute the Agreement on behalf of the Town subject to any minor corrections by staff. Vice Mayor Jorgensen called for the vote. The vote showed 4-0 in favor and the motion carried.

90 Day Stay of Demolition Permit 165 N. Glenwood. Tyler Sinclair and Lea Colasuonno made staff comment. S.R. Mills, Dwayne Meadows, Esther Judge, and Brigid Mander made public comment. Council held discussion with staff. A motion was made by Jessica Sell Chambers and seconded by Jim Rooks to grant a 58 day stay for Demolition Permit #B21-0617, during which time, prior to expiration and upon written request, one or both structures may be removed from the site, so long as such removal is for the purpose of preserving, not salvaging, the structure(s). Vice Mayor Jorgensen called for the vote. The vote showed 4-0 in favor and the motion carried.

Ordinances. A motion was made by Jessica Sell Chambers and seconded by Jonathan Schechter to read ordinances in short title. Vice Mayor Jorgensen called for the vote. The vote showed 4-0 in favor and the motion carried.

Ordinance O: AN ORDINANCE AMENDING AND REENACTING SECTION 1 OF TOWN OF JACKSON ORDINANCE NOS. 1214 AND 1221 AND SECTIONS 2.2.6 AND 6.1.1 OF THE TOWN OF JACKSON LAND DEVELOPMENT REGULATIONS REGARDING ALLOWED USES IN THE NEIGHBORHOOD LOW DENSITY-5 (NL-5) ZONING DISTRICT.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF JACKSON, WYOMING, IN REGULAR SESSION DULY ASSEMBLED THAT:

A motion was made by Jonathan Schechter and seconded by Jessica Sell Chambers to approve Ordinance O on second reading. Vice Mayor Jorgensen called for the vote. The vote showed 4-0 in favor and the motion carried.

Matters from Mayor and Council. Council discussed bear safety, housing action items, Teton County School District, and transportation during the Jackson Hole Airport closure.

Town Manager’s Report. Larry Pardee and Roxanne Robinson made staff comment. Council held discussion with staff. A motion was made by Jessica Sell Chambers and seconded by Jonathan Schechter to accept the Town Manager’s Report into the public record. The Town Manager’s report included information on Council Rules and Procedures and the Interim Transit Director. Vice Mayor Jorgensen called for the vote. The vote showed 4-0 in favor and the motion carried.

Adjourn. A motion was made by Jessica Sell Chambers and seconded by Jonathan Schechter to adjourn. Vice Mayor Jorgensen called for the vote. The vote showed 4-0 in favor and the motion carried. The meeting adjourned at 7:07 p.m.

TOWN OF JACKSON

ATTEST:

Arne Jorgensen, Vice Mayor

Lynsey Lenamond, Town Clerk
minutes:ll
Publish JH News & Guide: October 13, 2021

TOWN COUNCIL PROCEEDINGS - **UNAPPROVED**

October 11, 2021

JACKSON, WYOMING

The Jackson Town Council met in special workshop session at 9:00 A.M. This meeting was held virtually through the Zoom platform. Upon roll call the following were found to be present:

TOWN COUNCIL: *In-person:* None. *via Zoom:* Mayor Hailey Morton Levinson, Arne Jorgensen, Jonathan Schechter, Jim Rooks, and Jessica Sell Chambers.

STAFF: Larry Pardee, Roxanne Robinson, Tyler Sinclair, Kelly Thompson, Susan Scarlata, Lea Colasuonno, Floren Poliseo, Michelle Weber, Michael Palazzolo, Carl Pelletier, Paul Anthony, April Norton, and Lynsey Lenamond.

Council Rules and Procedures and Vacancies in Elected Office. Roxanne Robinson, Lea Colasuonno, and Kelly Thompson made staff comment. Council held discussion with staff. A motion was made by Jim Rooks and seconded by Arne Jorgensen to direct staff to place the updated Rules and Procedures, as presented in this staff report and including adjustments, if any, based on Council's discussion, on the October 18 regular meeting agenda for adoption. Mayor Morton Levinson called for the vote. The vote showed 5-0 in favor and the motion carried. A motion was made by Jim Rooks and seconded by Arne Jorgensen to place Ordinance Q regarding absence and vacancies in elected office as presented in this staff report and including adjustments, if any, based on Council's discussion, on the October 18 regular meeting agenda for first reading. Mayor Morton Levinson called for the vote. The vote showed 5-0 in favor and the motion carried.

Future Funding of Local Government. Larry Pardee made staff comment. Council held discussion with staff. A motion was made by Arne Jorgensen and seconded by Jonathan Schechter to direct staff to proceed with the Future Funding of Local Government initiative as described in this staff report, including any additional direction provided by Council at this meeting. Mayor Morton Levinson called for the vote. The vote showed 5-0 in favor and the motion carried.

Council recessed at 11:24 a.m. and reconvened at 11:00 a.m.

State Legislative Approach. Susan Scarlata made staff comment. Council held discussion with staff. A motion was made by Jonathan Schechter and seconded by Jessica Sell Chambers to direct staff to continue monitoring progress on a Real Estate Transfer Tax, keeping Council aware of any need for comment and/or input, and to work on steps to get discussion of the creation of HOV lanes approved as an Interim topic for discussion. Mayor Morton Levinson called for the vote. The vote showed 5-0 in favor and the motion carried.

Adjourn. A motion was made by Jessica Sell Chambers and seconded by Jim Rooks to adjourn the meeting. Mayor Morton Levinson called for the vote. The vote showed 5-0 in favor and the motion carried. The meeting adjourned at 12:03 pm.

TOWN OF JACKSON

ATTEST:

Lynsey Lenamond, Town Clerk

minutes:ll

Publish JH News & Guide: October 20, 2021

Hailey Morton Levinson, Mayor

TOWN COUNCIL PROCEEDINGS - **UNAPPROVED**

October 12, 2021

JACKSON, WYOMING

The Jackson Town Council met in a special meeting at 9:30 A.M. This meeting was held virtually through the Zoom platform. Upon roll call the following were found to be present:

TOWN COUNCIL: *In-person:* None. *via Zoom:* Mayor Hailey Morton Levinson, Arne Jorgensen, Jonathan Schechter, and Jim Rooks. Jessica Sell Chambers joined at 9:34 a.m.

STAFF: Paul Anthony and Lynsey Lenamond.

Design Review Committee Interviews. Council held interviews with Jeffrey Hobson, Jeffrey Zipfel, James Ffiles, and Mary Beth Coyne, Reed Duggan, and Mary McCarthy.

Executive Session. A motion was made by Jessica Sell Chambers and seconded by Jonathan Schechter to recess to an executive session at 10:36 a.m. to discuss personnel matters in accordance with Wyoming Statute 16-4-405(a)(iii). Council reconvened at 11:02 a.m.

Mayor Morton Levinson reappointed Mary McCarthy and Mary Beth Coyne and appointed Reed Duggan to the Design Review Committee for terms ending October 31, 2023, and requested a motion from the Council consenting to these appointments. A motion was made by Jonathan Schechter and seconded by Jim Rooks to consent to the Mayor's reappointment of Mary McCarthy and Mary Beth Coyne and appointment of Reed Duggan to the Design Review Committee. Mayor Morton Levinson called for the vote. The vote showed 4-1 with Jessica Sell Chambers opposing and the motion carried.

Adjourn. A motion was made by Jonathan Schechter and seconded by Jessica Sell Chambers to adjourn. Mayor Morton Levinson called for the vote. The vote showed 5-0 in favor and the motion carried. The meeting adjourned at 11:04 a.m.

TOWN OF JACKSON

ATTEST:

Lynsey Lenamond, Town Clerk
minutes:ll

Publish JH News & Guide: October 20, 2021

Mayor Hailey Morton Levinson

Report Criteria:

Detail report.
Invoices with totals above \$0 included.
Paid and unpaid invoices included.

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
328	842-NCBERS GROUP WYOMIN	842102021	PAYROLL DEDUCTIONS	09/30/2021	96.00	96.00	10/05/2021
Total 328:					96.00	96.00	
425	ACE EQUIPMENT & SUPPLY	205068	KY-558	07/09/2021	608.00	.00	
Total 425:					608.00	.00	
51	ACE HARDWARE	172582	wrong vendor	09/07/2021	-608.00	.00	
51	ACE HARDWARE	738613	LEVEL	05/12/2021	35.98	.00	
51	ACE HARDWARE	756169	ROPE TW NYLON	09/29/2021	39.99	.00	
51	ACE HARDWARE	756422	LAWN AND LEAF	10/01/2021	2,158.56	.00	
51	ACE HARDWARE	756578	COUPLE GALV 3/4"	10/04/2021	5.49	.00	
51	ACE HARDWARE	756621	CARR SCREW	10/04/2021	1.58	.00	
51	ACE HARDWARE	756737	TEE SAN PVC DWV, PIPE PVC,	10/05/2021	64.46	.00	
51	ACE HARDWARE	756856	CAP AND ADAPTER	10/06/2021	7.57	.00	
51	ACE HARDWARE	756868	ADAPTER AND CAP	10/06/2021	15.57	.00	
Total 51:					1,721.20	.00	
2269	AFLAC	455659	ACCOUNT #y9599	09/25/2021	2,501.18	2,501.18	10/05/2021
Total 2269:					2,501.18	2,501.18	
88	AIRGAS INTERMOUNTAIN INC.	9117366058	RENT CY LARGE ACETYLENE,	09/07/2021	202.96	.00	
Total 88:					202.96	.00	
5726	AMAZON	1J4T-KHHR-TH	OFFICE SUPPLIES	10/03/2021	68.28	.00	
5726	AMAZON	1JDY-46PC-JD	2PC BATTERY QUICK CONNEC	09/20/2021	7.99	.00	
5726	AMAZON	1KQX-NW1H-6	EVERSET SELF ADHESICE LAM	10/04/2021	38.38	.00	
5726	AMAZON	1KY9-TFYH-N3	SLOAN V-651 A LONG VACUUM	10/01/2021	17.25	.00	
5726	AMAZON	1YFV-GYMG-F	TEMPERED GLASS	09/28/2021	47.97	.00	
5726	AMAZON	1YJ7-JXQC-3P	KEY CARDS	10/08/2021	39.99	.00	
Total 5726:					219.86	.00	
6575	APEX SAGE INC	100521	PROJ: SI-FERRIN: SUNRISE RAI	10/01/2021	12,929.25	.00	
Total 6575:					12,929.25	.00	
4389	APPLE INC	AG02262927	IPHONE CASE	09/27/2021	59.00	.00	
4389	APPLE INC	AG02825693	iphone case	09/28/2021	59.00	.00	
Total 4389:					118.00	.00	
6250	ARBOR WORKS TREE SERVICE	5557	PRUNE MUGO TREE BACK STR	09/30/2021	100.00	.00	
Total 6250:					100.00	.00	
5226	ARMSCOR CARTRIDGE INCOR	14188	AMMO	09/28/2021	9,000.00	.00	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total 5226:					9,000.00	.00	
577	BADGER DAYLIGHTING CORP	2251837	FLUCTUATING FUEL RECOVER	09/17/2021	3,127.00	.00	
Total 577:					3,127.00	.00	
4774	BIG R RANCH & HOME	1520045	CAUTION TAPE YELLOW	08/09/2021	15.99	.00	
4774	BIG R RANCH & HOME	1523940	JACKET HV WP BRTLME	09/01/2021	121.49	.00	
4774	BIG R RANCH & HOME	1524897	MENS HI VIS CLASS WP PANT,	09/07/2021	161.98	.00	
4774	BIG R RANCH & HOME	1525425	MENS DRY HARVOR	09/10/2021	79.99	.00	
Total 4774:					379.45	.00	
3500	BISON LUMBER	2108-763760	HOLE SAW PILOT BIT, 1/4" HEX	08/30/2021	20.09	.00	
Total 3500:					20.09	.00	
1560	BLUE SPRUCE CLEANERS,INC	09-100478	DRY CLEANING SAM JEWISON	09/10/2021	13.40	.00	
1560	BLUE SPRUCE CLEANERS,INC	09-101381	LAUNDREY	09/10/2021	10.05	.00	
Total 1560:					23.45	.00	
2850	BMV LLC	100521	WATER SAMPLES SHIPPING	10/05/2021	67.54	.00	
Total 2850:					67.54	.00	
5	CARQUEST AUTO PARTS INC.	6090-514986	OIL FILTER, BRK PAD SET CER	09/17/2021	102.86	.00	
5	CARQUEST AUTO PARTS INC.	6090-541654	BRAKE PADS- PROF PLAT	09/15/2021	101.20	.00	
5	CARQUEST AUTO PARTS INC.	6090-541753	COATED ROTOR	09/15/2021	145.74	.00	
5	CARQUEST AUTO PARTS INC.	6090-541992	BRAKE PADS- PROF PLAT	09/17/2021	54.76	.00	
5	CARQUEST AUTO PARTS INC.	6090-542588	BATTERY	09/21/2021	318.32	.00	
5	CARQUEST AUTO PARTS INC.	6090-542596	CREDIT: BATTERY	09/21/2021	-44.00	.00	
5	CARQUEST AUTO PARTS INC.	6090-542770	ALTERNATOR	09/22/2021	203.15	.00	
5	CARQUEST AUTO PARTS INC.	6090-544099	AIR FILTER	10/01/2021	11.23	.00	
5	CARQUEST AUTO PARTS INC.	6090-544103	CABIN AIR FILTER	10/01/2021	10.36	.00	
5	CARQUEST AUTO PARTS INC.	6090-544209	CABIN AIR FILTER	10/02/2021	10.36	.00	
Total 5:					913.98	.00	
102	CASELLE INC.	112365	CONTRACT SUPPORT NOVEMB	10/01/2021	1,744.00	.00	
Total 102:					1,744.00	.00	
6769	CENTRALSQUARE	332428	FIELD OPS SUBSCRIPTION	10/01/2021	3,024.00	.00	
Total 6769:					3,024.00	.00	
260	COMMUNITY SAFETY NETWORK	100421	2ND QUARTER EXPENDITURES	10/04/2021	14,093.75	.00	
Total 260:					14,093.75	.00	
4887	CONTROL SYSTEM TECHNOLO	10147	CONTROL SERVICE @ COLLEC	09/28/2021	300.00	.00	
4887	CONTROL SYSTEM TECHNOLO	10148	CONTROL SERVICE @ WWTP	09/28/2021	450.00	.00	
4887	CONTROL SYSTEM TECHNOLO	10150	CONTROL SERVICE WELL 5 FL	09/28/2021	2,295.00	.00	
Total 4887:					3,045.00	.00	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
6475	CONVERGEONE, INC	IE9081043	SOFTWARE AND HARDWARE	09/29/2021	6,300.00	.00	
Total 6475:					6,300.00	.00	
1691	CORE & MAIN LP	P507513	Copperhorn kub	08/27/2021	12,985.12	.00	
Total 1691:					12,985.12	.00	
611	CUMMINS ROCKY MOUNTAIN L	40-12815B	REMAINING BALANCE	07/12/2021	900.00	.00	
Total 611:					900.00	.00	
4918	DEAN'S PEST CONTROL LLC	64909	SMALL RODENT CONTROL @	09/15/2021	100.00	.00	
4918	DEAN'S PEST CONTROL LLC	65173	EVERY OTHER MONTH MOUSE	09/24/2021	50.00	.00	
4918	DEAN'S PEST CONTROL LLC	65212	EVERY OTHER MONTH MOUSE	09/14/2021	100.00	.00	
Total 4918:					250.00	.00	
708	DELTA DENTAL PLAN OF WYOM	7017 100121	october premium	10/01/2021	551.20	551.20	10/05/2021
708	DELTA DENTAL PLAN OF WYOM	7017 100121	September claims	10/01/2021	5,260.80	5,260.80	10/05/2021
Total 708:					5,812.00	5,812.00	
77	DIAMOND VOGEL PAINTS, INC.	726291067	WHITE FED ACR	07/16/2021	565.70	.00	
Total 77:					565.70	.00	
6883	DIVISION OF CHILD SUPPORT	100821	DCSE CASE #0005405448	10/01/2021	509.23	509.23	10/08/2021
Total 6883:					509.23	509.23	
2175	DIVISION OF VICTIM SERVICES	100121	Crime Victim Surcharge	10/01/2021	450.00	.00	
Total 2175:					450.00	.00	
6057	DOVER, JOHN	100821	DOT PHYSICAL	10/08/2021	100.00	.00	
Total 6057:					100.00	.00	
3408	E.R. OFFICE EXPRESS	18462	pENS	10/07/2021	5.39	.00	
3408	E.R. OFFICE EXPRESS	18474	Office Supplies	10/07/2021	156.06	.00	
Total 3408:					161.45	.00	
502	ELECTRICAL WHSLE SUPPLY C	S5167756.001	conduit 1-1/2- GALV STEEL	09/21/2021	119.18	.00	
Total 502:					119.18	.00	
1134	ENERGY LABORATORIES INC.	412907	INFLUENT, EFFLUENT, CELL 1,	08/09/2021	357.00	.00	
1134	ENERGY LABORATORIES INC.	424544	INFLUENT, EFFLUENT	09/27/2021	149.00	.00	
1134	ENERGY LABORATORIES INC.	425830	INFLUENT, EFFLUENT, CELL 1,	10/01/2021	357.00	.00	
1134	ENERGY LABORATORIES INC.	428029	INFLUENT, EFFLUENT, CELL 1,	10/12/2021	459.00	.00	
1134	ENERGY LABORATORIES INC.	428317	CELL 1, CELL 2, CELL 3	10/12/2021	3,378.00	.00	
Total 1134:					4,700.00	.00	
3195	FERGUSON ENTERPRISES, IN	9771072	coRED PLUG	09/29/2021	24.34	.00	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total 3195:					24.34	.00	
4294	FIRE SERVICES OF IDAHO	10455453	ANNUAL SERIVE FOR FIRE EXT	09/27/2021	137.00	.00	
Total 4294:					137.00	.00	
668	FREEDOM MAILING SERVICE I	41453	UTILITY BILLING	10/05/2021	938.15	.00	
668	FREEDOM MAILING SERVICE I	41453	UTILITY BILLING	10/05/2021	938.16	.00	
Total 668:					1,876.31	.00	
3521	FRIENDS OF PATHWAYS	1242	START Bike Administration - per c	09/30/2021	7,816.00	.00	
Total 3521:					7,816.00	.00	
6892	GARCIA-ALVARADO, JUAN	100521	BAIL REFUND CASE 20-06-0034	10/05/2021	1,740.00	1,740.00	10/06/2021
Total 6892:					1,740.00	1,740.00	
6844	GE SOFTWARE	205136	EKOS FUEL SITE MODULE	09/30/2021	80.00	.00	
Total 6844:					80.00	.00	
4212	GILLIG LLC	40849986	LH DRAGLINK TIE ROD	10/01/2021	321.72	.00	
Total 4212:					321.72	.00	
6893	HEALTHIEST YOU	202110015382	OCTOBER PREMIUM	10/01/2021	2,376.00	2,376.00	10/08/2021
Total 6893:					2,376.00	2,376.00	
96	HIGH COUNTRY LINEN	0277273	UNIFORMS: WATER	09/16/2021	18.43	.00	
96	HIGH COUNTRY LINEN	0277273	SHOP SUPPLIES- FLEET- SHOP	09/16/2021	7.32	.00	
96	HIGH COUNTRY LINEN	0277273	UNIFORMS: FACILITY	09/16/2021	9.70	.00	
96	HIGH COUNTRY LINEN	0277273	BUILDING MAINT- PW: SURCHA	09/16/2021	3.00	.00	
96	HIGH COUNTRY LINEN	0277273	UNIFORMS: WWTP	09/16/2021	24.25	.00	
96	HIGH COUNTRY LINEN	0277273	UNIFORMS: SEWER	09/16/2021	19.30	.00	
96	HIGH COUNTRY LINEN	0277273	UNIFORMS: ADMIN	09/16/2021	4.85	.00	
96	HIGH COUNTRY LINEN	0277273	UNIFORMS: STREETS	09/16/2021	29.10	.00	
96	HIGH COUNTRY LINEN	0277273	UNIFORMS: FLEET	09/16/2021	31.04	.00	
96	HIGH COUNTRY LINEN	0277273	UNIFORMS: ADMIN	09/16/2021	4.85	.00	
96	HIGH COUNTRY LINEN	0279688	MATS @ SHELTER	09/29/2021	61.93	.00	
96	HIGH COUNTRY LINEN	0279806	SUPPLIES @ START	09/29/2021	97.20	.00	
96	HIGH COUNTRY LINEN	0279921	UNIFORMS: ADMIN	09/30/2021	4.85	.00	
96	HIGH COUNTRY LINEN	0279921	UNIFORMS: STREETS	09/30/2021	36.60	.00	
96	HIGH COUNTRY LINEN	0279921	UNIFORMS: WATER	09/30/2021	18.43	.00	
96	HIGH COUNTRY LINEN	0279921	SHOP SUPPLIES- FLEET- SHOP	09/30/2021	7.32	.00	
96	HIGH COUNTRY LINEN	0279921	UNIFORMS: FACILITY	09/30/2021	9.70	.00	
96	HIGH COUNTRY LINEN	0279921	UNIFORMS: FLEET	09/30/2021	38.80	.00	
96	HIGH COUNTRY LINEN	0279921	UNIFORMS: ADMIN	09/30/2021	4.85	.00	
96	HIGH COUNTRY LINEN	0279921	UNIFORMS: SEWER	09/30/2021	19.40	.00	
96	HIGH COUNTRY LINEN	0279921	BUILDING MAINT- PW: BAG, TO	09/30/2021	3.20	.00	
96	HIGH COUNTRY LINEN	0279921	UNIFORMS: WWTP	09/30/2021	24.25	.00	
96	HIGH COUNTRY LINEN	0280971	BUILDING MAINT- WWTP: BAG,	10/06/2021	86.57	.00	
96	HIGH COUNTRY LINEN	0281181	UNIFORMS: STREETS	10/07/2021	33.95	.00	
96	HIGH COUNTRY LINEN	0281181	UNIFORMS: ADMIN	10/07/2021	4.85	.00	
96	HIGH COUNTRY LINEN	0281181	SHOP SUPPLIES- FLEET- SHOP	10/07/2021	7.32	.00	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
96	HIGH COUNTRY LINEN	0281181	UNIFORMS: FACILITY	10/07/2021	9.70	.00	
96	HIGH COUNTRY LINEN	0281181	UNIFORMS: WATER	10/07/2021	18.43	.00	
96	HIGH COUNTRY LINEN	0281181	UNIFORMS: FLEET	10/07/2021	38.80	.00	
96	HIGH COUNTRY LINEN	0281181	BUILDING MAINT- PW: KITCHEN	10/07/2021	7.60	.00	
96	HIGH COUNTRY LINEN	0281181	UNIFORMS: WWTP	10/07/2021	24.25	.00	
96	HIGH COUNTRY LINEN	0281181	UNIFORMS: ADMIN	10/07/2021	4.85	.00	
96	HIGH COUNTRY LINEN	0281181	UNIFORMS: SEWER	10/07/2021	19.40	.00	
96	HIGH COUNTRY LINEN	S0278489	BUILDING MAINT- WWTP: TP, KI	09/29/2021	258.60	.00	
96	HIGH COUNTRY LINEN	S0279319	MATS @ START	09/29/2021	227.65	.00	
96	HIGH COUNTRY LINEN	S0279595	GLASS CLEANER	09/29/2021	76.80	.00	
Total 96:					1,297.14	.00	
36	IDAHO STATE TAX COMMISSIO	100121	SEPTEMBER WITHHOLDINGS	10/01/2021	3,259.00	3,259.00	10/05/2021
Total 36:					3,259.00	3,259.00	
3323	IDAHO TRAFFIC SAFETY, INC.	193867	CROSSWALKS	09/22/2021	935.00	.00	
Total 3323:					935.00	.00	
6895	INTERNATIONAL LEAGUE OF CI	19421	LISING	09/29/2021	250.00	.00	
Total 6895:					250.00	.00	
106	INTERSTATE BATTERY	22251431	(2) 31-MHD, (3) MTP-48/H6, (1) M	09/27/2021	749.70	.00	
Total 106:					749.70	.00	
618	IPRO TECH, LLC	18010077	CONSULTANCY	09/30/2021	500.00	.00	
Total 618:					500.00	.00	
5098	JACKSON ANIMAL HOSPITAL	46973	ANIMAL CARE	09/09/2021	85.81	.00	
5098	JACKSON ANIMAL HOSPITAL	47410	ANIMAL CARE	09/24/2021	524.00	.00	
5098	JACKSON ANIMAL HOSPITAL	47614	ANIMAL CARE	09/30/2021	144.67	.00	
5098	JACKSON ANIMAL HOSPITAL	47736	ANIMAL CARE	10/05/2021	164.01	.00	
Total 5098:					918.49	.00	
2877	JACKSON HOLE AIR	4886	FY22 CONTRACT PLEDGE	09/30/2021	15,000.00	.00	
Total 2877:					15,000.00	.00	
258	JACKSON HOLE COMMUNITY C	10057	2ND QUARTER	10/04/2021	28,412.50	.00	
Total 258:					28,412.50	.00	
131	JACKSON HOLE NEWS & GUID	327431	AD#394072	06/30/2021	250.00	.00	
131	JACKSON HOLE NEWS & GUID	330962	AD#397519	09/22/2021	51.30	.00	
131	JACKSON HOLE NEWS & GUID	331134	AD#397909 KENNEL TECH	09/29/2021	387.60	.00	
131	JACKSON HOLE NEWS & GUID	331241	AD#398007 budget ad	09/29/2021	330.50	.00	
131	JACKSON HOLE NEWS & GUID	331242	AD#397949 WORKSHOP	09/29/2021	85.50	.00	
131	JACKSON HOLE NEWS & GUID	331244	AD#397950 OP09-20	09/29/2021	632.70	.00	
131	JACKSON HOLE NEWS & GUID	331377	AD#397332 parking rfp	09/30/2021	190.32	.00	
131	JACKSON HOLE NEWS & GUID	331428	OLD BILLS AD ANIMAL SHELTE	09/30/2021	333.06	.00	
131	JACKSON HOLE NEWS & GUID	331672	AD#398231 BUDGET	10/06/2021	330.50	.00	
131	JACKSON HOLE NEWS & GUID	331673	AD#398108 OP 09-27	10/06/2021	72.68	.00	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total 131:					2,664.16	.00	
5084	JACKSON HOLE SECURITY, LL	11485	ALARM RESPONSE FOR 400 W	10/01/2021	500.00	.00	
5084	JACKSON HOLE SECURITY, LL	1558	ON SITE SERVICE, ANNUAL FIR	08/17/2021	331.10	.00	
5084	JACKSON HOLE SECURITY, LL	1559	FIRE SYSTEM LABOR, @ BUS 2	08/17/2021	180.00	.00	
5084	JACKSON HOLE SECURITY, LL	1590	ON SITE SERVICES, ANNUAL FI	09/23/2021	185.00	.00	
5084	JACKSON HOLE SECURITY, LL	1592	ON SITE SERVICE, ANNUAL FIR	09/24/2021	320.00	.00	
Total 5084:					1,516.10	.00	
114	JACKSON LUMBER INC	0000697931-0	BTR CEDAR, CEDAR TAN LATE	09/03/2021	33.95	.00	
114	JACKSON LUMBER INC	0000698944-0	REBAR GRADE	09/08/2021	45.36	.00	
114	JACKSON LUMBER INC	0000701106-00	GALVANIZED NUT, FLAT WAHE	09/15/2021	98.94	.00	
114	JACKSON LUMBER INC	0000701474-0	HILTI MD MANUAL DISPENSER	09/16/2021	145.50	.00	
114	JACKSON LUMBER INC	0000701696-0	15OZ RUST STOP BBQ BLK EN	09/16/2021	6.89	.00	
114	JACKSON LUMBER INC	0000704114-00	L50 SIMPSON USPPLORT ANGL	09/21/2021	3.63	.00	
Total 114:					334.27	.00	
283	JEWISON, SAMUEL LEE	101021	REIMB DOT	10/10/2021	155.00	.00	
283	JEWISON, SAMUEL LEE	101121	HAZ MAT REIMBURSE	10/11/2021	86.50	.00	
Total 283:					241.50	.00	
5965	KIMLEY HORN	19480108	096612002.3 TOJ RFP	08/31/2021	4,277.50	.00	
Total 5965:					4,277.50	.00	
150	LAWSON PRODUCTS INC.	9308781359	SALES ORDER: 7793343: BOX S	09/04/2021	320.49	.00	
150	LAWSON PRODUCTS INC.	9308785087	SALES ORDER: 7793343: Z-DIS	09/07/2021	336.53	.00	
Total 150:					657.02	.00	
2224	LOCAL GOV'T LIABILITY POOL	13596	AA210048 MUSAYEV	09/23/2021	1,000.00	.00	
Total 2224:					1,000.00	.00	
156	LOWER VALLEY ENERGY INC	92050-002 09-	3150 S ADAMS CANYON DR, JA	09/30/2021	176.47	.00	
156	LOWER VALLEY ENERGY INC	92050-003 09-	SPRUCE DR PUMP HOUSE, JA	09/30/2021	344.58	.00	
156	LOWER VALLEY ENERGY INC	92050-008 09-	CEMETERY, JACKSON, WY	09/30/2021	20.32	.00	
156	LOWER VALLEY ENERGY INC	92050-010 09-	ELY SPRINGS RD WELL 6,7,8, J	09/30/2021	4,270.17	.00	
156	LOWER VALLEY ENERGY INC	92050-014 09-	135 E BROADWAY AVE HEAT TA	09/30/2021	16.24	.00	
156	LOWER VALLEY ENERGY INC	92050-017 09-	WASTE WATER TRTMT INTERM	09/30/2021	16.00	.00	
156	LOWER VALLEY ENERGY INC	92050-019 09-	RANGEVIEW DR LIFT PUMP CO	09/30/2021	55.09	.00	
156	LOWER VALLEY ENERGY INC	92050-021 09-	150 E PEARL AVE, JACKSON, W	09/30/2021	1,044.44	.00	
156	LOWER VALLEY ENERGY INC	92050-024 09-	1605 BERGER LN SEWER LIFT	09/30/2021	19.60	.00	
156	LOWER VALLEY ENERGY INC	92050-025 09-	450 W SNOW KING AVE NEW S	09/30/2021	305.81	.00	
156	LOWER VALLEY ENERGY INC	92050-026 09-	450 W SNOW KING AVE SHOP, J	09/30/2021	127.41	.00	
156	LOWER VALLEY ENERGY INC	92050-044 09-	SNOW KING ESTATES BOOSTE	09/30/2021	274.78	.00	
156	LOWER VALLEY ENERGY INC	92050-047 09-	WASTE WATER TRTMT UV BLD	09/30/2021	16.00	.00	
156	LOWER VALLEY ENERGY INC	92050-049 09-	WASTE WATER TRTMT PTB 545	09/30/2021	11,815.01	.00	
156	LOWER VALLEY ENERGY INC	92050-050 09-	2 MG TANK, JACKSON, WY 200	09/30/2021	18.42	.00	
156	LOWER VALLEY ENERGY INC	92050-051 09-	WELL #5 KARNs MEADOW DR,	09/30/2021	1,459.37	.00	
156	LOWER VALLEY ENERGY INC	92050-052 09-	675 E BROADWAY AVE WELL #1	09/30/2021	3,420.04	.00	
156	LOWER VALLEY ENERGY INC	92050-053 09-	WELLS #2 & #3, JACKSON, WY	09/30/2021	3,165.10	.00	
156	LOWER VALLEY ENERGY INC	92050-054 09-	CITY WELL ELK REF 1, JACKSO	09/30/2021	10.76	.00	
156	LOWER VALLEY ENERGY INC	92050-055 09-	CITY WELL ELK REF 2, JACKSO	09/30/2021	21.80	.00	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
156	LOWER VALLEY ENERGY INC	92050-056 09-	CITY WELL ELK REF 3, JACKSO	09/30/2021	15.17	.00	
156	LOWER VALLEY ENERGY INC	92050-059 09-	440 W SNOW KING AVE POLICE	09/30/2021	11.87	.00	
156	LOWER VALLEY ENERGY INC	92050-060 09-	400 W SNOW KING AVE S GAR,	09/30/2021	39.46	.00	
156	LOWER VALLEY ENERGY INC	92050-061 09-	400 W SNOW KING AVE PUBLIC	09/30/2021	58.23	.00	
156	LOWER VALLEY ENERGY INC	92050-074 09-	CRABTREE LN THAW WELL #2,	09/30/2021	16.24	.00	
156	LOWER VALLEY ENERGY INC	92050-075 09-	HIGH SCHOOL RD THAW WELL	09/30/2021	7.82	.00	
156	LOWER VALLEY ENERGY INC	92050-078 09-	145 W HANSEN AVE FRONT, JA	09/30/2021	58.99	.00	
156	LOWER VALLEY ENERGY INC	92050-079 09-	145 W HANSEN AVE BACK, JAC	09/30/2021	69.96	.00	
156	LOWER VALLEY ENERGY INC	92050-082 09-	400 W SNOW KING AVE E STOR	09/30/2021	31.74	.00	
156	LOWER VALLEY ENERGY INC	92050-090 09-	955 MAPLE WAY, JACKSON, WY	09/30/2021	47.59	.00	
156	LOWER VALLEY ENERGY INC	92050-092 09-	3150 S ADAMS CANYON DR ANI	09/30/2021	84.56	.00	
156	LOWER VALLEY ENERGY INC	92050-102 09-	145 W HANSEN AVE FRONT, JA	09/30/2021	17.39	.00	
156	LOWER VALLEY ENERGY INC	92050-105-382	WASTE WATER TRTMT UV BLD	09/30/2021	2,775.55	.00	
156	LOWER VALLEY ENERGY INC	92050-106 09-	940 SIMON LN, JACKSON, WY	09/30/2021	54.03	.00	
156	LOWER VALLEY ENERGY INC	92050-114 09-3	210 N CACHE ST HOME RANCH	09/30/2021	202.39	.00	
156	LOWER VALLEY ENERGY INC	92050-126 09-	SPRING WATER LN LIFT STATIO	09/30/2021	21.29	.00	
156	LOWER VALLEY ENERGY INC	92050-127 09-	3337 S CODY CREEK DR LIFT S	09/30/2021	117.70	.00	
156	LOWER VALLEY ENERGY INC	92050-131 09-	195 E DELONEY AVE RESTROO	09/30/2021	117.07	.00	
156	LOWER VALLEY ENERGY INC	92050-132 09-	160 S MILLWARD ST PARKING	09/30/2021	786.93	.00	
156	LOWER VALLEY ENERGY INC	92050-134 09-	160 S MILLWARD ST PARKING	09/30/2021	21.80	.00	
156	LOWER VALLEY ENERGY INC	92050-334 09-	JOSEPHINE LOOP LOT 15 LIFT	09/30/2021	113.71	.00	
156	LOWER VALLEY ENERGY INC	92050-341 09-	210 N CACHE ST HOME RANCH	09/30/2021	26.22	.00	
156	LOWER VALLEY ENERGY INC	92050-345 09-	930 SIMON LN, JACKSON, WY	09/30/2021	66.37	.00	
156	LOWER VALLEY ENERGY INC	92050-356 09-	55 KARNs MEADOW DR START	09/30/2021	298.91	.00	
156	LOWER VALLEY ENERGY INC	92050-357 09-	55 KARNs MEADOW DR START	09/30/2021	4,960.51	.00	
156	LOWER VALLEY ENERGY INC	92050-359 09-	MILLER PARK PARKING LOT CH	09/30/2021	76.35	.00	
156	LOWER VALLEY ENERGY INC	92050-361 09-	625 W BROADWAY AVE NEW P	09/30/2021	20.57	.00	
156	LOWER VALLEY ENERGY INC	92050-363 09-	455 VINE ST UTIL, JACKSON, W	09/30/2021	28.21	.00	
156	LOWER VALLEY ENERGY INC	92050-364 09-	65 VIRGINIAN LN #5, JACKSON,	09/30/2021	32.17	.00	
156	LOWER VALLEY ENERGY INC	92050-365 09-	65 VIRGINIAN LN #7, JACKSON,	09/30/2021	39.73	.00	
156	LOWER VALLEY ENERGY INC	92050-367 09-	455 VINE ST APT #3, JACKSON,	09/30/2021	21.51	.00	
156	LOWER VALLEY ENERGY INC	92050-368 09-	455 VINE ST APT #4, JACKSON,	09/30/2021	47.22	.00	
156	LOWER VALLEY ENERGY INC	92050-370 09-	2022 WILDFLOWER CT, JACKS	09/30/2021	16.28	.00	
156	LOWER VALLEY ENERGY INC	92050-371 09-	2022 WILDFLOWER CT, JACKS	09/30/2021	28.01	.00	
156	LOWER VALLEY ENERGY INC	92050-374 09-	455 VINE ST APT #1, JACKSON,	09/30/2021	39.91	.00	
156	LOWER VALLEY ENERGY INC	92050-375 09-	155 E PEARL AVE, JACKSON, W	09/30/2021	23.35	.00	
156	LOWER VALLEY ENERGY INC	92050-376 09-	149 E PEARL AVE, JACKSON, W	09/30/2021	60.19	.00	
156	LOWER VALLEY ENERGY INC	92050-378 09-	145 E PEARL AVE #A EAST, JAC	09/30/2021	16.37	.00	
156	LOWER VALLEY ENERGY INC	92050-381 09-	915 SIMON LN, JACKSON, WY	09/30/2021	73.49	.00	
156	LOWER VALLEY ENERGY INC	92050-383 09-	SNOW KING DR WATER TANK C	09/30/2021	19.54	.00	
156	LOWER VALLEY ENERGY INC	92050-385 09-	85 N SPRING GULCH RD SPRIN	09/30/2021	138.11	.00	
156	LOWER VALLEY ENERGY INC	92050-388 09-	121 SHERWOOD CT BLDG 2 BU	09/30/2021	19.59	.00	
156	LOWER VALLEY ENERGY INC	92050-389 09-	1640 MARTIN LN LIFT STATION,	09/30/2021	26.32	.00	
156	LOWER VALLEY ENERGY INC	92050-390 09-	400 W SNOW KING AVE HOUSI	09/30/2021	114.53	.00	
156	LOWER VALLEY ENERGY INC	92050-391 09-	400 W SNOW KING AVE PARK M	09/30/2021	49.40	.00	
156	LOWER VALLEY ENERGY INC	92050-392 09-	400 W SNOW KING AVE ADMIN,	09/30/2021	197.21	.00	
156	LOWER VALLEY ENERGY INC	92050-393 09-	400 W SNOW KING AVE EMPLO	09/30/2021	292.88	.00	
156	LOWER VALLEY ENERGY INC	92050-395 09-	145 E PEARL AVE #C LOFT, JAC	09/30/2021	16.24	.00	
156	LOWER VALLEY ENERGY INC	92050-396 09-	145 E PEARL AVE HSE/CMN, JA	09/30/2021	25.49	.00	
156	LOWER VALLEY ENERGY INC	92050-397 09-	145 E PEARL AVE #B WEST, JA	09/30/2021	16.44	.00	
Total 156:					38,058.02	.00	
677	MACY'S SERVICES	34049	CAMERA LINES- ABSORKA RED	05/31/2021	293.75	.00	
677	MACY'S SERVICES	89497	PORT-A-POT RENTAL FOR PUB	04/30/2021	190.00	.00	
Total 677:					483.75	.00	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
6881	MATEOSKY CONSTRUCTION	101221	RELEASE BOND B21-0814 984	10/12/2021	3,000.00	3,000.00	10/12/2021
Total 6881:					3,000.00	3,000.00	
3932	MILLER SANITATION	19430	START ROUTE TRASH CANS	10/04/2021	315.00	.00	
Total 3932:					315.00	.00	
6770	MOBILITY FOREFRONT LLC	MFFINV0071	PROPERTY TAXES	10/01/2021	11,547.31	.00	
6770	MOBILITY FOREFRONT LLC	MFFINV0071	MONTHLY LEASE	10/01/2021	35,000.00	.00	
Total 6770:					46,547.31	.00	
6173	MOBYCON CORP	NA1249	INTERSECTION DESIGN REVIE	09/17/2021	1,600.00	.00	
Total 6173:					1,600.00	.00	
4623	MSC INDUSTRIAL SUPPLY CO	4897921001	BOWMALLOY FLT WSHRS 1/4,	09/17/2021	224.30	.00	
Total 4623:					224.30	.00	
257	NAPA AUTO PARTS INC.	016501	CREDIT: BATT CABLE CONNEC	09/11/2021	-22.50	.00	
257	NAPA AUTO PARTS INC.	019957	NAPA OIL FILTERM NAPA AIR FI	09/27/2021	66.60	.00	
257	NAPA AUTO PARTS INC.	020701	BATT CABLE CONNECTOR	09/30/2021	33.49	.00	
257	NAPA AUTO PARTS INC.	020972	AIR FILTER PRO SELECTION	10/01/2021	53.97	.00	
257	NAPA AUTO PARTS INC.	022357	HAMMER	10/07/2021	49.99	.00	
Total 257:					181.55	.00	
187	NELSON ENGINEERING	56441	20-259-01 TOJ PATHWAYS	09/09/2021	1,183.00	.00	
187	NELSON ENGINEERING	56551	19-330-03 WELL EXPLORATION	09/30/2021	490.00	.00	
187	NELSON ENGINEERING	56552	PROJ: 21-060-01 115 JACKSON	09/30/2021	1,508.00	.00	
187	NELSON ENGINEERING	56637	21-295-01 ASPEN HILL CEMETA	09/30/2021	196.00	.00	
Total 187:					3,377.00	.00	
1504	ONE CALL OF WYOMING	60979	TICKERS FOR SEPTEMBER 202	10/07/2021	189.00	.00	
1504	ONE CALL OF WYOMING	60979	TICKERS FOR SEPTEMBER 202	10/07/2021	189.00	.00	
Total 1504:					378.00	.00	
6896	O'NEILL RENTAL PROPERTIES	101121	REFUND UTILITY BILLING PAID	10/11/2021	204.83	.00	
Total 6896:					204.83	.00	
6821	OTAK, INC.	000006210207	020049.000 jackson gis stormwat	06/16/2021	5,613.00	.00	
6821	OTAK, INC.	000092100373	JACKSON GIS STORMWATER	09/22/2021	696.50	.00	
6821	OTAK, INC.	020049.000	020049.000 jackson gis stormwat	08/25/2021	3,850.00	.00	
Total 6821:					10,159.50	.00	
6483	PREMIER TRUCK- SALT LAKE C	775327473	WATER KIT	09/27/2021	168.05	.00	
6483	PREMIER TRUCK- SALT LAKE C	775328542	MANIFOLD	09/30/2021	522.27	.00	
6483	PREMIER TRUCK- SALT LAKE C	775328606	VG TURBO KIT	09/30/2021	1,120.60	.00	
6483	PREMIER TRUCK- SALT LAKE C	CM775321906	CREDIT: CORE RETURN	09/29/2021	-76.48	.00	
Total 6483:					1,734.44	.00	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
4537	PRO RENTAL & SALES INC	1602108-0001	WHEEL TENTIONER, BELT DRIV	09/28/2021	200.94	.00	
Total 4537:					200.94	.00	
6594	PROTERRA	1031527	BASE WINDSHIELD 40'	09/24/2021	975.00	.00	
6594	PROTERRA	1031616	FILL PUMP	09/28/2021	291.21	.00	
6594	PROTERRA	1031624	BALL STUD MOUNT SHOCK BR	09/28/2021	261.57	.00	
6594	PROTERRA	1031662	BALL STUD	09/29/2021	40.06	.00	
Total 6594:					1,567.84	.00	
6613	QUADIENT FINANCE USA, INV	8054 9862 092	POSTAGE	09/29/2021	1,000.00	.00	
Total 6613:					1,000.00	.00	
3761	RAE, JOSHUA	000130	boardwalk reconstruction	09/14/2021	11,000.00	.00	
3761	RAE, JOSHUA	000132	EDDIE BAUER BOARDWALK	10/01/2021	8,000.00	.00	
3761	RAE, JOSHUA	000133	STAGE STOP DECK	10/01/2021	7,500.00	.00	
3761	RAE, JOSHUA	000134	bROADWAY BOARDWALKS	10/01/2021	24,100.00	.00	
Total 3761:					50,600.00	.00	
6855	RHINEHART OIL CO, LLC	IN-439796-21	GAS 87 MID 10% ETHANOL, DS	09/21/2021	29,084.74	.00	
Total 6855:					29,084.74	.00	
5812	RUI INC. DBA VILLAGE GARDN	1322620	MOVING SERVICE: SEPTEMBE	09/30/2021	197.65	.00	
5812	RUI INC. DBA VILLAGE GARDN	1322624	MOWING SERVICE: SEPTEMBE	09/30/2021	204.35	.00	
Total 5812:					402.00	.00	
13	SAFETY SUPPLY & SIGN CO., I	178483	flags 200	09/27/2021	471.36	.00	
Total 13:					471.36	.00	
4835	SANFORD HEALTH OCCUPATIO	626535	PRE-PLACEMENT EXAM	09/30/2021	234.00	.00	
Total 4835:					234.00	.00	
6894	SAUNDERS, HANNA	000298	SPET LOGO	10/01/2021	300.00	.00	
Total 6894:					300.00	.00	
4359	SHERWIN-WILLIAMS CO.	2417-2	PAINT	09/27/2021	546.46	.00	
Total 4359:					546.46	.00	
4548	SILVER CREEK SUPPLY	0005236896-0	PVC PIPE SCH 40 BE	09/29/2021	215.81	.00	
Total 4548:					215.81	.00	
4699	SNAKE RIVER ROASTING	73309	COFFEE	09/22/2021	48.95	.00	
Total 4699:					48.95	.00	
3961	SPECTRUM	030285208272	MONTHLY SERVICES	08/27/2021	90.15	.00	
3961	SPECTRUM	030285209272	MONTHLY SERVICES	09/27/2021	99.99	.00	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total 3961:					190.14	.00	
1505	SPRING CREEK ANIMAL HOSPI	625014536	ANIMALCARE	10/07/2021	80.00	.00	
1505	SPRING CREEK ANIMAL HOSPI	625014570	ANIMAL CARE	10/07/2021	108.41	.00	
Total 1505:					188.41	.00	
6871	STANDARD INSURANCE COMP	STASIC000127	OCTOBER PREMIUM	10/01/2021	4,596.82	4,596.82	10/06/2021
6871	STANDARD INSURANCE COMP	STASIC000170	OCTOBER PREMIUM VOLUNTA	10/07/2021	731.30	731.30	10/06/2021
Total 6871:					5,328.12	5,328.12	
4990	Swagit Productions, LLC	17575	VIDEO STEAMING	03/31/2021	1,775.00	.00	
4990	Swagit Productions, LLC	18906	VIDEO STREAMING	09/30/2021	1,775.00	.00	
Total 4990:					3,550.00	.00	
4514	TEAM LABORATORY CHEMICAL	INV0027744	FINE ROAD PATCH	09/28/2021	867.50	.00	
Total 4514:					867.50	.00	
1443	TETON COUNTY CLERK	101121FE	MONTLY CONTRIBUTION FIRE	10/11/2021	154,389.72	.00	
1443	TETON COUNTY CLERK	101121H	Housing Department Monthly Ope	10/11/2021	30,620.33	.00	
1443	TETON COUNTY CLERK	101121PR	Parks and Recreation Monthly Op	10/11/2021	131,189.24	.00	
1443	TETON COUNTY CLERK	101121PR	Parks and Recreation Monthly Op	10/11/2021	4,925.84	.00	
Total 1443:					321,125.13	.00	
6554	TETON COUNTY HISTORIC	101221	1st quarter	10/12/2021	5,500.00	.00	
Total 6554:					5,500.00	.00	
581	TETON COUNTY INTEGRATED	532317	DIM/LUMBER	09/22/2021	137.00	.00	
581	TETON COUNTY INTEGRATED	532318	DIM/LUMBER	09/22/2021	146.00	.00	
581	TETON COUNTY INTEGRATED	532385	TRASH	09/22/2021	12.00	.00	
Total 581:					295.00	.00	
996	TETON COUNTY SPECIAL FIRE	092721	SEPTEMBER 21	09/27/2021	13,296.23	.00	
996	TETON COUNTY SPECIAL FIRE	092721C	SEPTEMBER 21 CAPITAL	09/27/2021	86,236.94	.00	
Total 996:					99,533.17	.00	
1355	TETON COUNTY TRANSFER ST	531180	TRASH	09/15/2021	76.00	.00	
1355	TETON COUNTY TRANSFER ST	532317	dim lumber	09/22/2021	137.00	.00	
1355	TETON COUNTY TRANSFER ST	532318	dim lumber	09/22/2021	146.00	.00	
1355	TETON COUNTY TRANSFER ST	532385	TRASH	09/22/2021	12.00	.00	
1355	TETON COUNTY TRANSFER ST	532577	dim lumber	09/23/2021	59.00	.00	
1355	TETON COUNTY TRANSFER ST	533838	TRASH	09/30/2021	110.00	.00	
1355	TETON COUNTY TRANSFER ST	533953	dim lumber	09/30/2021	128.00	.00	
Total 1355:					668.00	.00	
1614	TETON COUNTY-FUND 10	092821D	SEPTEMBER 21 DISPATCH	09/28/2021	34,867.46	.00	
1614	TETON COUNTY-FUND 10	092821P	SEPTEMBER 21 MALONE AND	09/28/2021	8,256.42	.00	
1614	TETON COUNTY-FUND 10	092821PATH	SEPTEMBER 21 PATHWAYS	09/28/2021	5,187.50	.00	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total 1614:					48,311.38	.00	
166	TETON COUNTY-FUND 19	092721C	SEPTEMBER 2021 CAPIAL	09/27/2021	6,581.25	.00	
Total 166:					6,581.25	.00	
270	TETON RENTAL CENTER	100189	BUBBA ROPE EXTREME	09/16/2021	460.00	.00	
270	TETON RENTAL CENTER	100189	BUBBA ROPE EXTREME	09/16/2021	460.00	.00	
270	TETON RENTAL CENTER	101022	BUBBA ROPE EXTREME	10/01/2021	179.99	.00	
Total 270:					1,099.99	.00	
5846	TETON TOOLS LLC	09282129382	12 PT 15MM F/DR+ STD COMW	09/28/2021	362.00	.00	
Total 5846:					362.00	.00	
298	TETON YOUTH & FAMILY SERVI	101221	1ST QUARTER PAYMENT	10/12/2021	64,062.50	.00	
Total 298:					64,062.50	.00	
154	THE CHILDREN'S LEARNING C	100721	2ND QUARTER PAYMENT	10/07/2021	29,252.75	.00	
Total 154:					29,252.75	.00	
70	THYSSEN KRUPP ELEVATOR C	5001551804	GOLD- FULL MAINTENANCE SE	06/03/2021	222.50	.00	
Total 70:					222.50	.00	
4046	TIMBERLINE CONCRETE	7486	ELK REFUGE SLAB	09/09/2021	341.00	.00	
Total 4046:					341.00	.00	
6579	TITLE 22 CONSULTANTS	21-0029	PLAT REVIEW	10/07/2021	566.82	.00	
6579	TITLE 22 CONSULTANTS	21-0031	P21-246	10/11/2021	509.54	.00	
Total 6579:					1,076.36	.00	
3471	TWO OCEAN BUILDERS, LLC	100621	Release bond B18-0003 315 N C	10/06/2021	14,243.75	14,243.75	10/06/2021
Total 3471:					14,243.75	14,243.75	
4649	ULINE	138769303	PAVEMENT TAPE	09/16/2021	289.65	.00	
Total 4649:					289.65	.00	
6891	VALLEY VIEW SEWER CO. LLC	100521	RELEASE BOND B20-0465 DEE	10/05/2021	5,000.00	5,000.00	10/05/2021
Total 6891:					5,000.00	5,000.00	
1949	VERIZON WIRELESS	9889697241	MONTHLY SERVICES	10/01/2021	11,841.87	.00	
Total 1949:					11,841.87	.00	
5022	VISION SERVICE PLAN - (WY)	813236396	OCTOBER PREMIUM	09/17/2021	1,667.77	1,667.77	10/05/2021
Total 5022:					1,667.77	1,667.77	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
563	WESTBANK SANITATION	3797823	940 Simon Lane	10/01/2021	55.70	.00	
Total 563:					55.70	.00	
1640	WESTERN STATE	IN001782687	WELD CUTTER MOLDBOARD, R	09/22/2021	2,618.13	.00	
Total 1640:					2,618.13	.00	
472	WHITE GLOVE CLEANING, INC.	199Z	CLEANING SUPPLIES	09/30/2021	119.44	.00	
472	WHITE GLOVE CLEANING, INC.	208Z	BUILDING MAINT @ MILLER PA	09/30/2021	308.10	.00	
472	WHITE GLOVE CLEANING, INC.	209Z	BUILDING MAINT @ HOME RAN	09/30/2021	1,126.06	.00	
472	WHITE GLOVE CLEANING, INC.	210Z	BUILDING MAINT @ TOWN HAL	09/30/2021	430.67	.00	
472	WHITE GLOVE CLEANING, INC.	211Z	BUILDING MAINT @ PARKING G	09/30/2021	308.25	.00	
472	WHITE GLOVE CLEANING, INC.	212Z	BUILDING MAINT @ PUBLIC WO	09/30/2021	145.22	.00	
472	WHITE GLOVE CLEANING, INC.	213Z	BUILDING MAINT @ DELONEY	09/30/2021	590.92	.00	
472	WHITE GLOVE CLEANING, INC.	7558	JANITORIAL SERVICE CLEANIN	09/30/2021	2,130.00	.00	
472	WHITE GLOVE CLEANING, INC.	7559	JANITORIAL SERVICE CLEANIN	09/30/2021	350.00	.00	
472	WHITE GLOVE CLEANING, INC.	7561	JANITORIAL SERVICE CLEANIN	09/30/2021	1,340.33	.00	
472	WHITE GLOVE CLEANING, INC.	7562	JANITORIAL SERVICE CLEANIN	09/30/2021	204.00	.00	
472	WHITE GLOVE CLEANING, INC.	7564	JANITORIAL SERVICE CLEANIN	09/30/2021	100.00	.00	
472	WHITE GLOVE CLEANING, INC.	7581	FOGGING @ PUBLIC WORKS	10/01/2021	500.00	.00	
472	WHITE GLOVE CLEANING, INC.	7581	FOGGING @ START BUS	10/01/2021	500.00	.00	
472	WHITE GLOVE CLEANING, INC.	7581	FOGGING @ RESTROOMS	10/01/2021	500.00	.00	
472	WHITE GLOVE CLEANING, INC.	7581	FOGGING @ TOWN HALL	10/01/2021	500.00	.00	
472	WHITE GLOVE CLEANING, INC.	7588	BUS SHELTER CLEANING	09/30/2021	3,048.13	.00	
Total 472:					12,201.12	.00	
3619	WY CHILD SUPPORT ENFORCE	100821	case #209790 GALLEGHER	10/08/2021	146.76	146.76	10/08/2021
Total 3619:					146.76	146.76	
4139	WY WORKERS' SAFETY & COM	100621	OCTOBER PREMIUM	10/06/2021	9,744.26	9,744.26	10/06/2021
4139	WY WORKERS' SAFETY & COM	100621	AUGUST RATE CHANGE DIFFE	10/06/2021	2,374.94	2,374.94	10/06/2021
4139	WY WORKERS' SAFETY & COM	100621	JULY RATE CHANGE DIFFEREN	10/06/2021	3,514.77	3,514.77	10/06/2021
Total 4139:					15,633.97	15,633.97	
406	WYOMING LAW ENFORCEMEN	100121	OFFICER EDUCATION fees	10/01/2021	95.00	.00	
Total 406:					95.00	.00	
329	WYOMING RETIREMENT SYST	214568	SEPTEMBER CONTRIBUTIONS	10/01/2021	33,341.56	33,341.56	10/05/2021
329	WYOMING RETIREMENT SYST	214569	SEPTEMBER CONTRIBUTIONS	10/01/2021	30,529.18	30,529.18	10/05/2021
329	WYOMING RETIREMENT SYST	214570	SEPTEMBER CONTRIBUTIONS	10/01/2021	53,969.05	53,969.05	10/05/2021
Total 329:					117,839.79	117,839.79	
1764	WYOMING.COM INC	2034690	DOMAIN HOSTING	10/05/2021	5.00	.00	
Total 1764:					5.00	.00	
6717	WY-TEST	38129	PRE EMPLOY	08/05/2021	80.00	.00	
6717	WY-TEST	38308	PRE-EMPLOY	09/07/2021	80.00	.00	
6717	WY-TEST	38453	RANDOM	09/30/2021	80.00	.00	
6717	WY-TEST	38463	PRE EMPLOY	09/27/2021	80.00	.00	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total 6717:					320.00	.00	
2179	XEROX CORPORATION	014499577	coper agreement	10/01/2021	126.11	.00	
2179	XEROX CORPORATION	014499582	coper agreement	10/01/2021	63.37	.00	
2179	XEROX CORPORATION	014539784	cREDIT	10/02/2021	-48.30	.00	
2179	XEROX CORPORATION	014539785	coper agreement	10/02/2021	28.20	.00	
2179	XEROX CORPORATION	014539786	coper agreement	10/02/2021	19.72	.00	
2179	XEROX CORPORATION	14499578	coper agreement	10/01/2021	24.67	.00	
Total 2179:					213.77	.00	
2842	YELLOW IRON EXCAVATION, LL	62313	trash removal - 915 Simon Lane	09/30/2021	35.00	.00	
2842	YELLOW IRON EXCAVATION, LL	62426	trash removal 455 VINE	09/30/2021	17.50	.00	
2842	YELLOW IRON EXCAVATION, LL	62426	trash removal 455 VINE	09/30/2021	17.50	.00	
2842	YELLOW IRON EXCAVATION, LL	62426	trash removal 455 VINE	09/30/2021	17.50	.00	
2842	YELLOW IRON EXCAVATION, LL	62426	trash removal 455 VINE	09/30/2021	17.50	.00	
Total 2842:					105.00	.00	
Grand Totals:					1,124,939.42	179,153.57	

Dated: _____

Mayor: _____

City Council: _____

City Recorder: _____

City Treasurer: _____

Report Criteria:

Detail report.

Invoices with totals above \$0 included.

Paid and unpaid invoices included.

**TOWN OF JACKSON
MUNICIPAL COURT
MONTHLY REPORT TO THE MAYOR AND TOWN COUNCIL
FOR THE MONTH OF SEPTEMBER, 2021**

During the month of September, the court received \$29,162 in fines, costs, and fees.
414 new cases were docketed: 361 parking citations, 53 summons
42 cases were dismissed: 22 parking violations

The abbreviations used below are: BF= Bond Forfeiture (includes \$10.00 court cost), GP=Guilty Plea and Fine, NC= No Contest,
G=Found Guilty at Trial, NG=Found Not Guilty at Trial,
R=Restitution, CS=Community Service, DP=Deferred Prosecution, D=Dismissed, D-TS= Dismissed with Traffic School,
DA=Deferred Adjudication

CLOSED CASES

<u>NAME</u>	<u>CITATION</u>	<u>OFFENSE</u>	<u>DISPOSITION</u>	<u>\$</u>
Blancato, David Joshua	186002494AC	Interference w/PD: Resisting officer	BF	250
Blancato, David Joshua	186002493AC	Open Container	BF	140
Blancato, David Joshua	186002495AC	Public intoxication	BF	110
Bodovinitz, Steven John	186002616AC	Speed Limits Generally 44/30	D-TS	0
Cervantes-lopez, Karen Guadalup	186002215AC	MPH over limit Bond	D-Per Town's Motion	0
Cervantes-lopez, Karen Guadalup	186002216AC	Stop Sign Violation	D-Per Town's Motion	0
Costello, Thomas Alan	186002758AC	Failure to maintain liability coverage	D- Valid information provided	0
Cummings, Ethan Michael	186002546AC	Turning left at intersection	BF	80
Dixon, William A	98058N	Minor in Bar/Use False ID to obtain Alcohol/Malt Beverage	D-Per Town's Motion	0
Doney, Tyson Wayne	00397M	Driving/Control of vehicle while intox	GP	750
Doyle, Wyatt	01687M	Urinating in Public	D-Per Town's Motion	0
Duster, Mindy	00992M	Public intoxication	BF	75
Erickson, Anna Marie	186002680AC	Failure to maintain liability coverage	D-Valid information provided	0
Ferguson, Cody William	186002659AC	Failure to yield ROW approaching intersections	BF	90
Franklin, Weslee J	00934M	Driving/Control of vehicle while intox	DA- In accordance with WSS 7-13-301	0
Freeman, Seth Michael	186002743AC	Speed Limits Generally 40/25	BF	185
Garcia, Janet	186001860AC	Dog bite causing wound	BF	100
Geil, Kimberly Ellen	186002821AC	Speed Limits Generally 45/30	BF	185
Groff, Kevin A	06997M	Public intoxication	D-Per Town's Motion	0
Hale, William Jackson	186002625AC	Public intoxication	D-Per Town's Motion	0
Hawes, Thomas Charles	186002804AC	Failure to yield ROW	BF	80
Hayse, Bruce	186002158AC	Duty to give information and render aid	D-Per Town's Motion	0
Hernandez, Mizraim Jehosua	186002434AC	Stop before emerging from Alley	BF	100
Hunt, Cody	98223N	Public intoxication	BF	75
Katz, Melanie Mor	186002507AC	Speed Limits Generally 27/15	BF	164
Lane, Spencer B	186002816AC	Speed Limits Generally 40/25	BF	185
Leitton, Peter John	01260M	Driving/Control of vehicle while intox	DA- In accordance with WSS 7-13-301	0
Lippold, Caroline Porter	186002619AC	Speed Limits Generally 42/25	D-TS	0
Lozoya Ramos, Ulises G	186002457AC	Marijuana: use and/or possession	D-Per Town's Motion	0
Mardis, Justin Eli	186002811AC	Public intoxication	BF	110
Markham, Sean Clay	186002875AC	Public intoxication	BF	110
Mayer, Scottie Luis	186002505AC	Speed Limits Generally 38/25	D-TS	0
Mcdearman, John Bryan	01258M	Driving/Control of vehicle while intox	DA- In accordance with WSS 7-13-301	0
Mcmurray, Sean Thomas	186002849AC	Failure to yield ROW	BF	80
Morton, Todd A	186002850AC	Improper Passing	BF	90
Norris, Luke J	186002740AC	Public intoxication	BF	75
Patchin, Kathryn Sage	186002508AC	Speed Limits Generally 32/15	BF	199
Patchin, Kathryn Sage	186001899AC	Speeding 45/30	BF	135
Patterson, Ethan Patrick	186002833AC	Limitations on Backing	BF	80
Pelican, Jesse Charles	186002773AC	Public intoxication	D-Per Town's Motion	0
Penelta, Sontos	186002511AC	GTB license required	BF	750
Penland, Katherine D	98834N	Failure to Maintain Lane	BF	80
Ponce, Ana Y	186002664AC	Speed Limits Generally 51/30	BF	257
Reeves, Rebecca Anne	186002805AC	Unsafe Turning Movement	BF	80
Regan, Thomas Mcniff	186002620AC	Speed Limits Generally 40/25	D-TS	0
Reutzel, Courtney	186002456AC	Marijuana: use and/or possession	D-Per Town's Motion	0
Richmond, Edison T	186002712AC	brake lamps required	BF	80
Risto, Dionis	186002581AC	Failure to Obey Traffic Control Device	BF	130
Rose, Connie	186002762AC	Failure to yield ROW	BF	90

Sanchez, Noemi J	01505M	Failure to yield ROW approaching intersections	BF	80
Sanchez, Noemi J	01506M	No Driver's license	BF	400
Schroeder, Kolton G	186002802AC	Following too Close	BF	80
Schultz, Tyler Roman	186002737AC	Following too Close	BF	80
Sloan, Madison Rae	186002545AC	Failure to Obey Traffic Control Device	BF	130
Taras, Kenneth L	186002385AC	Speed Limits Generally 39/30	D-Per Town's Motion	0
Terry, Barrett J	01466M	Limitations on Backing	BF	90
Thompson, Troy Dennis	186002847AC	Leaving motor vehicle unattended	BF	90
Trejo Sanchez, Salomon	186002763AC	No Driver's license	BF	410
Upton, Taylor Elliott	186002598AC	Stop Sign Violation	BF	15
Vittori, Paul	186002621AC	Speed Limits Generally 40/25	BF	185
Weems, Tyler	186002848AC	Exercise of Due Care by Drivers	BF	90
Welchman, Madison A	186002496AC	Failure to maintain liability coverage	D-Valid information provided	0
Wood, Gary Scott	186002760AC	Speed Limits Generally 44/30	BF	178

STAFF REPORT



Meeting Date:	October 18, 2021	Meeting Title:	Town Council Regular Meeting
Submitting Department:	Administration	Presenter:	Roxanne Robinson
Agenda Item:	Exhibit Hall Lease	Public Comment:	Consent-Yes

Purpose & Policy Considerations.

The Town Council approves all major contracts and leases on behalf of the Town of Jackson. This lease agreement with Teton County expires December 31, 2021. Teton County has requested a new lease.

Requested Action.

Because a housing project is forthcoming on this site, staff requests Council approve a new lease for a 2-year term for the Exhibit Hall with Teton County under the same terms and conditions, including a 30-day termination clause.

Recommendations.

Staff recommends the Town Council approve the lease as presented.

Background.

The Town of Jackson has leased the Exhibit Hall and grounds to Teton County for more than 30 years. Teton County utilizes the facility and grounds during the Teton County Fair and they lease out the facility for multiple community uses throughout the year. The Pavilion building on the north side of Snow King Avenue is currently being utilized as a temporary Fire Station during reconstruction of Fire Station 1 on Pearl Avenue. Once Fire/EMS is able to transition back to the facility on Pearl, the Exhibit Hall uses will relocate to the remodeled Pavilion building until the lease expires for the rodeo grounds in 2026 and until such time as the Town Council determines/or enacts other uses for the rodeo grounds. The exact timing of when Fire/EMS will vacate the pavilion is not set at this time but is expected to be February of 2022. There may be a further delay in relocation of uses dependent on any remodel needs in the Pavilion. The Housing Department has approval to move forward with a housing project on this parcel but the exact timing as to when this facility would need to be removed is also not set. Because of the multiple uses of the Exhibit Hall, it would seem logical to not terminate this lease until the uses can be relocated to the Pavilion building.

Exhibit B in the attached Ground Lease Agreement reflects the current layout of the parking area shared with the West Snow King housing facility.

Because the agreement contains a provision for termination with 30 days notice, staff is comfortable renewing the lease with Teton County for an additional 2 year term.

At the July 19 Town Council meeting, Council directed staff to work on an application for housing on the site for the September 2021 WCDA Low-Income Housing Tax Credit program. The Housing Department will not find out about the application until January of 2022.

Analysis.

Key Issue 1 is to continue the current uses in the Exhibit Hall and grassy area space until such time as those uses can be relocated to the Pavilion building on the north side of Snow King Avenue and then to vacate the building at the earliest opportunity to begin a housing project which has Council support. With a 30 day termination notice, this can be easily accomplished.

Alternatives (Optional).

Because the lease doesn't expire until December, Council has the option of continuing this item until a future Town Council meeting so long as a decision is made prior to December 31, 2021.

Comprehensive Plan & Priority Alignment.

Uses in the Exhibit Hall and grassy area relate to Section 8: Quality Community Service Provision as it is a facility utilized by many groups in the community. The uses will ultimately relocate to the Pavilion building on the north side of Snow King Avenue but until that relocation, or until the Council chooses to terminate the lease agreement, those community uses are housed in this facility.

Fiscal Impact.

The fiscal impact of approving this ground lease agreement is \$1/per year because the facility is used for community purposes.

Staff Impact.

Staff has spent a combined 4 hours on preparation of the staff report and researching issues and includes time spent in Administration, the Town Attorney's office, and assistance from Engineering in preparing the parking exhibit.

Attachments or Links.

Ground Lease Agreement and exhibits.

Suggested Motion. *Council always has the option to adopt, approve with conditions, continue, or deny items.*

I move to approve the ground lease agreement with Teton County for the Exhibit Hall, grassy area and parking area as presented.

GROUND LEASE AGREEMENT

This Lease is made to be effective as of the 1st day of January, 2022, between the Town of Jackson a Wyoming Municipal Corporation (Lessor), and Teton County, a duly organized County of the State of Wyoming (Lessee).

WHEREAS, Teton County has erected a building on land owned by the Town of Jackson; and,

WHEREAS, the Town of Jackson and Teton County have determined that it is reasonably necessary and of definable benefit to provide Teton County with continued use of the leased premises;

NOW THEREFORE, the parties agree as follows:

1. DEMISE. The Lessor leases to the Lessee, the premises in the Town of Jackson, County of Teton, State of Wyoming, as follows:

See portion of Exhibit “A” attached hereto and by this reference made a part hereof.

To have and to hold the demised premises for and during the term hereof, together with all and singular the appurtenances, rights, interests, easements and privileges in any way pertaining thereto and as set forth herein.

2. TERM. The term of this Lease shall be two (2) years, commencing on the 1st day of January, 2022, and terminating on the 31st day of December, 2023, unless sooner terminated as hereinafter provided.

3. RENT. The Lessee shall pay to the Lessor for the demised premises during the term of this Lease, in lawful money of the United States, the sum of ONE DOLLAR (\$1.00) for each lease year of the term of this Lease as and for an annual rental, said sum being due and payable on the first day of each lease year of the term hereof.

4. USE OF PREMISES. The grassy area as illustrated in area #1 on Exhibit “B” attached hereto shall be available for the exclusive use of the Lessee and Lessee shall be required to pay for watering of the grassy area. The specific parking spaces designated as multi-use illustrated in area #2 on Exhibit “B” attached hereto shall be available for the non-exclusive use of the Lessee.

5. LANDLORD’S LIEN. Lessor shall have a lien on all buildings and improvements placed on the demised premises by Lessee, on all rents from such buildings and improvements, and on all fixtures, furniture and equipment kept or used on the premises, whether such property is exempt from execution or not, to secure payment of all sums becoming due to Lessor under the provisions of this Lease and to secure performance of all other obligations of Lessee hereunder.

6. TERMINATION. Lessor shall have the right at any time during the term of this Lease to terminate the Lease. The exercise of this right is conditioned upon the giving by Lessor to Lessee not less than thirty (30) days prior notice of Lessor's intention to terminate.

7. TAXES. The Lessee, in addition to the rent provided for herein, shall pay all future taxes, assessments, duties, impositions and burdens assessed, charged or imposed upon the improvements constructed by Lessee, and its personal furniture and fixtures, and all taxes upon Lessee in respect thereof and shall deliver to the Lessor upon request proper and sufficient receipts and other evidence of the payment and discharge of the same. Lessor shall be responsible for payment of taxes on the real property.

8. UTILITIES. The Lessee shall pay all charges for sewer connection or capacity fee permits, except as may otherwise be agreed by Lessor, as well as monthly sewer charges and for water, electricity, gas, telephone and any other utilities used during the term of this Lease or any renewal thereof.

9. LIENS OR ENCUMBRANCES. The Lessee shall not suffer the premises to become subject to any lien, charge or encumbrance whatsoever, other than a mortgage as hereinafter provided, without the prior written approval of the Lessor, and shall indemnify the Lessor against all such liens, charges and encumbrances; it being expressly agreed that the Lessee shall have no authority, express or implied, to create any lien, charge or encumbrance, other than a mortgage, upon the improvements thereon.

10. ASSIGNMENTS/RIGHTS OF USE IN OTHERS. The Lessee shall not assign this Lease to any person, individual or corporation, except with the Lessor's written consent, unless the assignee shall in the instrument of assignment expressly assume the Lessee's covenants and obligations hereunder. Notwithstanding the foregoing, Lessee acknowledges that its improvements are located on land within the Town of Jackson traditionally used and enjoyed by various groups and individuals for recreation and entertainment, and Lessee shall not unreasonably withhold use of the buildings described herein by the public.

11. INSURANCE AND INDEMNIFICATION. The Lessee shall keep the buildings and improvements upon the premises insured against loss or damage by fire, for their full insurable value in companies authorized to do business in Wyoming, and shall furnish the Lessor with a complete list of all such insurance; shall pay all the premiums necessary for those purposes immediately as they become due; all such policies shall be issued in the name of Lessee, Lessor and the holder of any mortgage on the improvements, as their respective interests may appear. Lessee shall indemnify and hold the Lessor free and harmless from any and all demands, loss or liability resulting from injury to or death of any person or persons because of the negligence of the Lessee or the condition of the property at any time or times hereafter, and shall maintain in full force and effect, subject to all the other terms contained in this paragraph, liability insurance naming Lessor and Lessee in a combined single limit amount of not less than \$1,000,000.00.

12. DAMAGE OR DESTRUCTION. Should the whole or any part or parts of the buildings or improvements then on the demised premises be partially or wholly damaged or destroyed by fire or other insured casualties after the commencement of the term of this Lease, such destruction or damage shall not operate to terminate this Lease, but this Lease shall continue in full force and effect, except as otherwise provided in this Lease. In the event of such damage or destruction, Lessee has the option to reconstruct upon the demised premises, buildings, improvements or fixtures of a like type and purpose and of substantially the same design and construction as those destroyed, or buildings, improvements or fixtures then consistent in the opinion of the Lessee with the highest and best use thereof in the Lessee's determination; subject, however, to Lessor's approval of the plans and specifications therefore. If the Lessee elects to repair the existing building, such repairs will be so as to restore the building to at least an equivalent condition as it was in before the damage or destruction. In any event, the buildings, improvements or fixtures constructed or repaired shall be of a value at least equal to the value of the property immediately prior to the loss or damage.

In the event of such reconstruction or repair, the rent on the demised premises shall not be abated in whole or in part during the period of said repair or reconstruction. Said repair or reconstruction shall be prosecuted diligently to completion.

In the event that Lessee decides not to reconstruct or repair said buildings, improvements or fixtures, Lessee shall have the option of canceling and terminating this Lease on giving the Lessor thirty (30) days written notice of his determinations to do so. If Lessee elects to terminate this Lease in accordance with the foregoing option, Lessee shall be under no duty to restore, rebuild or repair said buildings, improvements or fixtures, but shall be obligated, at Lessor's option, to restore the premises to their pre-construction conditions.

13. REPAIRS. The Lessee shall keep the buildings erected on the premises and the drains and appurtenances in good condition and repair.

14. ALTERATIONS. The Lessee shall not make any alteration in the external elevation or architectural design of the building on the premises, or injure or remove any of the external walls or timbers thereof without the consent in writing of the Lessor, which consent shall not be unreasonably withheld.

15. NEW BUILDINGS. The Lessee shall not erect or permit to be erected on the premises any new buildings or make or permit to be made any addition to the building to be erected upon the premises, except in accordance with plans and specifications approved in writing by the Lessor.

16. LESSOR TO ENTER. The Lessee shall permit the Lessor and its agents at all reasonable times to enter upon the premises to view the condition of the premises and buildings.

17. UNLAWFUL USE. The Lessee shall not make or suffer any use or occupancy of the premises contrary to any law or ordinance now or hereafter in force.

18. SURRENDER. At the termination of this Lease the Lessee shall surrender the premises in such repair and condition as shall be in accordance with the covenants herein contained.

19. RE-ENTRY. It is agreed that no default or breach of covenant shall be deemed to have occurred on the part of the Lessee until thirty (30) days after written notice of such default or breach shall have been given to the Lessee, and the Lessee within such time has failed to remedy such default or breach; but at the expiration of such thirty-day period the Lessor shall immediately have the right, at its option, to take any desired action to enforce its rights hereunder, including termination or re-entry with or without termination, or to enforce full performance by the Lessee of its obligations hereunder, unless the Lessee shall have, within such thirty-day period, begun action necessary to remedy such default or breach continuing and shall thereafter continue diligently to prosecute such action to completion, except that in any event the payment of rental or other payments of money due from the Lessee to the Lessor shall be paid within said thirty days.

20. WAIVER. The waiver by Lessor of any breach of any term, covenant or condition herein contained shall not be deemed to be a waiver of such term, covenant or condition on any subsequent breach of the same or any other terms, covenants or conditions herein contained. The subsequent acceptance of rent hereunder by Lessor shall not be deemed to be a waiver of any preceding breach by Lessee of any terms, covenants or conditions of this Lease, other than the failure of Lessee to pay the particular rental so accepted, regardless of Lessor's knowledge of such preceding breach at the time of acceptance of such rent. No covenant, term or condition of this Lease shall be deemed to have been waived by Lessor, unless such waiver is in writing by Lessor.

21. ACCORD AND SATISFACTION. No payment by Lessee or receipt by Lessor of a lesser amount than the rent herein stipulated shall be deemed to be other than on account of the earliest stipulated rent, nor shall any endorsement or statement on any check or any letter accompanying any check or payment as rent be deemed an accord and satisfaction, and Lessor may accept such check or payment without prejudice to Lessor's right to recover the balance of such rent or pursue any other remedy in this Lease provided.

22. ENTIRE AGREEMENT. This Lease sets forth all the covenants, promises, agreements, conditions and understandings between Lessor and Lessee concerning the leased premises and there are no covenants, promises, agreements, conditions or understandings, either oral or written between them other than are herein set forth. Except as herein otherwise provided, no subsequent alteration, amendment, change or addition to this Lease shall be binding upon Lessor or Lessee unless reduced to writing and signed by them.

23. NO PARTNERSHIP. Lessor does not, in any way or for any purpose, become a partner of Lessee in the conduct of its business, or otherwise, or joint adventurer or member of a joint enterprise with Lessee.

24. NOTICES. Any notice, demand, request or other instrument which may be or are required to be given under this Lease shall be sent by United States certified mail, postage prepaid and shall be deemed to be given when mailed and shall be addressed (a) if to Lessor at: P.O. Box 1687, Jackson, Wyoming 83001, or at such other address as Lessor designated by written notice, and (b) if to Lessee at: P. O. Box 3594, Jackson, Wyoming 83001, or at such other address as Lessee shall designate by written notice.

25. PARTIAL INVALIDITY. If any term, covenant or condition of this Lease or the application thereof to any person or circumstances shall, to any extent, be invalid or unenforceable, the remainder of this Lease, or the application of such term, covenant or condition to persons or circumstances other than those as to which it is held invalid or unenforceable, shall not be affected thereby and each term, covenant or condition of this Lease shall be valid and be enforced to the fullest extent permitted by law.

26. TIME OF THE ESSENCE. Time is of the essence in this agreement.

27. HEADINGS. The headings used in this Lease are for convenience only and are not to be used in its construction.

28. CONSTRUCTION. Whenever used, the singular shall include the plural, the plural this singular and the use of any gender shall include all genders.

IN WITNESS WHEREOF, the Lessor and Lessee have signed and sealed this Lease on the date indicated below but to be effective as of the day and year first above written.

LESSOR:

DATE: _____

TOWN OF JACKSON, WYOMING

Mayor Hailey Morton Levinson

ATTEST:

Lynsey Lenamond, Town Clerk

LESSEE:

DATE: _____

TETON COUNTY, WYOMING

Natalia Macker, Board Chair

ATTEST:

Maureen Murphy, Teton County Clerk

STATE OF WYOMING)
)ss.
COUNTY OF TETON)

The foregoing instrument was acknowledged before me by Hailey Morton Levinson as Mayor of the Town of Jackson this _____ day of _____, 20____.

Witness my hand and official seal.

Notary Public

My commission Expires:

STATE OF WYOMING)
)ss.
COUNTY OF TETON)

The foregoing instrument was acknowledged before me by Lynsey Lenamond as Town Clerk of the Town of Jackson this _____ day of _____, 20____.

Witness my hand and official seal.

Notary Public

My commission Expires:

[illegible]

The foregoing instrument was acknowledged before me by Natalia Macker as Teton County Commission Board Chair this _____ day of _____, 20____.

Witness my hand and official seal.

Notary Public

My commission Expires:

[illegible]

The foregoing instrument was acknowledged before me by Maureen Murphy as County Clerk of Teton County, Wyoming this _____ day of _____, 20____.

Witness my hand and official seal.

Notary Public

My commission Expires:

GROUND LEASE AGREEMENT

This Lease is made to be effective as of the 1st day of January, ~~2018~~2022, between the Town of Jackson a Wyoming Municipal Corporation (Lessor), and Teton County, a duly organized County of the State of Wyoming (Lessee).

WHEREAS, Teton County has erected a building on land owned by the Town of Jackson; and,

WHEREAS, the Town of Jackson and Teton County have determined that it is reasonably necessary and of definable benefit to provide Teton County with continued use of the leased premises;

NOW THEREFORE, the parties agree as follows:

1. DEMISE. The Lessor leases to the Lessee, the premises in the Town of Jackson, County of Teton, State of Wyoming, as follows:

See portion of Exhibit "A" attached hereto and by this reference made a part hereof.

To have and to hold the demised premises for and during the term hereof, together with all and singular the appurtenances, rights, interests, easements and privileges in any way pertaining thereto and as set forth herein.

2. TERM. The term of this Lease shall be ~~four~~two (42) years, commencing on the 1st day of January, ~~2018~~2022, and terminating on the 31st day of December, ~~2021~~2023, unless sooner terminated as hereinafter provided.

3. RENT. The Lessee shall pay to the Lessor for the demised premises during the term of this Lease, in lawful money of the United States, the sum of ONE DOLLAR (\$1.00) for each lease year of the term of this Lease as and for an annual rental, said sum being due and payable on the first day of each lease year of the term hereof.

4. USE OF PREMISES. The grassy area as illustrated in area #1 on Exhibit "B" attached hereto shall be available for the exclusive use of the Lessee and Lessee shall be required to pay for watering of the grassy area. The ~~parking area specific parking spaces designated as multi-use~~ illustrated in area #2 on Exhibit "B" attached hereto shall be available for the non-exclusive use of the Lessee.

5. LANDLORD'S LIEN. Lessor shall have a lien on all buildings and improvements placed on the demised premises by Lessee, on all rents from such buildings and improvements, and on all fixtures, furniture and equipment kept or used on the premises, whether such property is exempt from execution or not, to secure payment of all sums becoming due to Lessor under the provisions of this Lease and to secure performance of all other obligations of Lessee hereunder.

6. TERMINATION. Lessor shall have the right at any time during the term of this Lease to terminate the Lease. The exercise of this right is conditioned upon the giving by Lessor to Lessee not less than thirty (30) days prior notice of Lessor's intention to terminate.

7. TAXES. The Lessee, in addition to the rent provided for herein, shall pay all future taxes, assessments, duties, impositions and burdens assessed, charged or imposed upon the improvements constructed by Lessee, and its personal furniture and fixtures, and all taxes upon Lessee in respect thereof and shall deliver to the Lessor upon request proper and sufficient receipts and other evidence of the payment and discharge of the same. Lessor shall be responsible for payment of taxes on the real property.

8. UTILITIES. The Lessee shall pay all charges for sewer connection or capacity fee permits, except as may otherwise be agreed by Lessor, as well as monthly sewer charges and for water, electricity, gas, telephone and any other utilities used during the term of this Lease or any renewal thereof.

9. LIENS OR ENCUMBRANCES. The Lessee shall not suffer the premises to become subject to any lien, charge or encumbrance whatsoever, other than a mortgage as hereinafter provided, without the prior written approval of the Lessor, and shall indemnify the Lessor against all such liens, charges and encumbrances; it being expressly agreed that the Lessee shall have no authority, express or implied, to create any lien, charge or encumbrance, other than a mortgage, upon the improvements thereon.

10. ASSIGNMENTS/RIGHTS OF USE IN OTHERS. The Lessee shall not assign this Lease to any person, individual or corporation, except with the Lessor's written consent, unless the assignee shall in the instrument of assignment expressly assume the Lessee's covenants and obligations hereunder. Notwithstanding the foregoing, Lessee acknowledges that its improvements are located on land within the Town of Jackson traditionally used and enjoyed by various groups and individuals for recreation and entertainment, and Lessee shall not unreasonably withhold use of the buildings described herein by the public.

11. INSURANCE AND INDEMNIFICATION. The Lessee shall keep the buildings and improvements upon the premises insured against loss or damage by fire, for their full insurable value in companies authorized to do business in Wyoming, and shall furnish the Lessor with a complete list of all such insurance; shall pay all the premiums necessary for those purposes immediately as they become due; all such policies shall be issued in the name of Lessee, Lessor and the holder of any mortgage on the improvements, as their respective interests may appear. Lessee shall indemnify and hold the Lessor free and harmless from any and all demands, loss or liability resulting from injury to or death of any person or persons because of the negligence of the Lessee or the condition of the property at any time or times hereafter, and shall maintain in full force and effect, subject to all the other terms contained in this paragraph, liability insurance naming Lessor and Lessee in a combined single limit amount of not less than \$1,000,000.00.

12. DAMAGE OR DESTRUCTION. Should the whole or any part or parts of the buildings or improvements then on the demised premises be partially or wholly damaged or destroyed by fire or other insured casualties after the commencement of the term of this Lease, such destruction or damage shall not operate to terminate this Lease, but this Lease shall continue in full force and effect, except as otherwise provided in this Lease. In the event of such damage or destruction, Lessee has the option to reconstruct upon the demised premises, buildings, improvements or fixtures of a like type and purpose and of substantially the same design and construction as those destroyed, or buildings, improvements or fixtures then consistent in the opinion of the Lessee with the highest and best use thereof in the Lessee's determination; subject, however, to Lessor's approval of the plans and specifications therefore. If the Lessee elects to repair the existing building, such repairs will be so as to restore the building to at least an equivalent condition as it was in before the damage or destruction. In any event, the buildings, improvements or fixtures constructed or repaired shall be of a value at least equal to the value of the property immediately prior to the loss or damage.

In the event of such reconstruction or repair, the rent on the demised premises shall not be abated in whole or in part during the period of said repair or reconstruction. Said repair or reconstruction shall be prosecuted diligently to completion.

In the event that Lessee decides not to reconstruct or repair said buildings, improvements or fixtures, Lessee shall have the option of canceling and terminating this Lease on giving the Lessor thirty (30) days written notice of his determinations to do so. If Lessee elects to terminate this Lease in accordance with the foregoing option, Lessee shall be under no duty to restore, rebuild or repair said buildings, improvements or fixtures, but shall be obligated, at Lessor's option, to restore the premises to their pre-construction conditions.

13. REPAIRS. The Lessee shall keep the buildings erected on the premises and the drains and appurtenances in good condition and repair.

14. ALTERATIONS. The Lessee shall not make any alteration in the external elevation or architectural design of the building on the premises, or injure or remove any of the external walls or timbers thereof without the consent in writing of the Lessor, which consent shall not be unreasonably withheld.

15. NEW BUILDINGS. The Lessee shall not erect or permit to be erected on the premises any new buildings or make or permit to be made any addition to the building to be erected upon the premises, except in accordance with plans and specifications approved in writing by the Lessor.

16. LESSOR TO ENTER. The Lessee shall permit the Lessor and its agents at all reasonable times to enter upon the premises to view the condition of the premises and buildings.

17. UNLAWFUL USE. The Lessee shall not make or suffer any use or occupancy of the premises contrary to any law or ordinance now or hereafter in force.

18. SURRENDER. At the termination of this Lease the Lessee shall surrender the premises in such repair and condition as shall be in accordance with the covenants herein contained.

19. RE-ENTRY. It is agreed that no default or breach of covenant shall be deemed to have occurred on the part of the Lessee until thirty (30) days after written notice of such default or breach shall have been given to the Lessee, and the Lessee within such time has failed to remedy such default or breach; but at the expiration of such thirty-day period the Lessor shall immediately have the right, at its option, to take any desired action to enforce its rights hereunder, including termination or re-entry with or without termination, or to enforce full performance by the Lessee of its obligations hereunder, unless the Lessee shall have, within such thirty-day period, begun action necessary to remedy such default or breach continuing and shall thereafter continue diligently to prosecute such action to completion, except that in any event the payment of rental or other payments of money due from the Lessee to the Lessor shall be paid within said thirty days.

20. WAIVER. The waiver by Lessor of any breach of any term, covenant or condition herein contained shall not be deemed to be a waiver of such term, covenant or condition on any subsequent breach of the same or any other terms, covenants or conditions herein contained. The subsequent acceptance of rent hereunder by Lessor shall not be deemed to be a waiver of any preceding breach by Lessee of any terms, covenants or conditions of this Lease, other than the failure of Lessee to pay the particular rental so accepted, regardless of Lessor's knowledge of such preceding breach at the time of acceptance of such rent. No covenant, term or condition of this Lease shall be deemed to have been waived by Lessor, unless such waiver is in writing by Lessor.

21. ACCORD AND SATISFACTION. No payment by Lessee or receipt by Lessor of a lesser amount than the rent herein stipulated shall be deemed to be other than on account of the earliest stipulated rent, nor shall any endorsement or statement on any check or any letter accompanying any check or payment as rent be deemed an accord and satisfaction, and Lessor may accept such check or payment without prejudice to Lessor's right to recover the balance of such rent or pursue any other remedy in this Lease provided.

22. ENTIRE AGREEMENT. This Lease sets forth all the covenants, promises, agreements, conditions and understandings between Lessor and Lessee concerning the leased premises and there are no covenants, promises, agreements, conditions or understandings, either oral or written between them other than are herein set forth. Except as herein otherwise provided, no subsequent alteration, amendment, change or addition to this Lease shall be binding upon Lessor or Lessee unless reduced to writing and signed by them.

23. NO PARTNERSHIP. Lessor does not, in any way or for any purpose, become a partner of Lessee in the conduct of its business, or otherwise, or joint adventurer or member of a joint enterprise with Lessee.

24. NOTICES. Any notice, demand, request or other instrument which may be or are required to be given under this Lease shall be sent by United States certified mail, postage prepaid and shall be deemed to be given when mailed and shall be addressed (a) if to Lessor at: P.O. Box 1687, Jackson, Wyoming 83001, or at such other address as Lessor designated by written notice, and (b) if to Lessee at: P. O. Box 3594, Jackson, Wyoming 83001, or at such other address as Lessee shall designate by written notice.

25. PARTIAL INVALIDITY. If any term, covenant or condition of this Lease or the application thereof to any person or circumstances shall, to any extent, be invalid or unenforceable, the remainder of this Lease, or the application of such term, covenant or condition to persons or circumstances other than those as to which it is held invalid or unenforceable, shall not be affected thereby and each term, covenant or condition of this Lease shall be valid and be enforced to the fullest extent permitted by law.

26. TIME OF THE ESSENCE. Time is of the essence in this agreement.

27. HEADINGS. The headings used in this Lease are for convenience only and are not to be used in its construction.

28. CONSTRUCTION. Whenever used, the singular shall include the plural, the plural this singular and the use of any gender shall include all genders.

IN WITNESS WHEREOF, the Lessor and Lessee have signed and sealed this Lease on the date indicated below but to be effective as of the day and year first above written.

LESSOR:

DATE: _____

TOWN OF JACKSON, WYOMING

Mayor ~~Pete Muldoon~~ Hailey Morton Levinson

ATTEST:

~~Sandy Birdyshaw~~ Lynsey Lenamond, Town Clerk

LESSEE:

DATE: _____

TETON COUNTY, WYOMING

ATTEST:

~~Mark Newcomb~~ Natalia Macker, Board Chair

~~Sherry L. Daigle~~ Maureen Murphy, Teton County Clerk

STATE OF WYOMING)
)ss.
COUNTY OF TETON)

The foregoing instrument was acknowledged before me by ~~Pete Muldoon~~ Hailey Morton
Levinson as Mayor of the Town of Jackson this _____ day of _____, 20____.

Witness my hand and official seal.

Notary Public

My commission Expires:

STATE OF WYOMING)
)ss.
COUNTY OF TETON)

The foregoing instrument was acknowledged before me by ~~Sandy Birdyshaw~~ Lynsey
Lenamond as Town Clerk of the Town of Jackson this _____ day of _____,
20____.

Witness my hand and official seal.

Notary Public

My commission Expires:

STATE OF WYOMING)
)ss.
COUNTY OF TETON)

The foregoing instrument was acknowledged before me by ~~Mark Newcomb~~Natalia Macker as Teton County Commission Board Chair this _____ day of _____, 20_____.

Witness my hand and official seal.

Notary Public

My commission Expires:

STATE OF WYOMING)
)ss.
COUNTY OF TETON)

The foregoing instrument was acknowledged before me by ~~Sherry Daigle~~Maureen Murphy as County Clerk of Teton County, Wyoming this _____ day of _____, 20_____.

Witness my hand and official seal.

Notary Public

My commission Expires:

[illegible]

I further state that the survey, including the location of monuments found or set, is correct to the best of my knowledge and belief.

The purpose of this map is to identify and accurately depict the boundary of Town of Jackson property lying east of Flat Creek Drive known as Fair Grounds shown here on Sheet 1, and to clarify the distinction between this parcel and the land known as Rodco Grounds that lies north of Snow King Avenue shown on sheet 2. Boundaries for both parcels are based on an official field survey.



Scale: 1 inch = 100 feet

LABERGESEN ASSOCIATES P.C. P.O. BOX 9550 JACKSON, WYOMING 83002 (307) 733-5150

by the

Map Printed December 14, 2008 Project No.: 080107.00

Scale: 1 inch = 1000 feet



2-1/2 inch diameter iron pipe with 3 inch diameter brass cap found this survey
5/8 inch diameter steel reinforcing bar with 1-1/2 inch diameter aluminum cap inscribed "NELSON
ENGR PE & LS 578" found this survey

- | | | | | | | |
|--|---|---|---|---|-----|-------|
| | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 | 29 | 30 | 31 | 32 | 33 | 34 | 35 | 36 | 37 | 38 | 39 | 40 | 41 | 42 | 43 | 44 | 45 | 46 | 47 | 48 | 49 | 50 | 51 | 52 | 53 | 54 | 55 | 56 | 57 | 58 | 59 | 60 | 61 | 62 | 63 | 64 | 65 | 66 | 67 | 68 | 69 | 70 | 71 | 72 | 73 | 74 | 75 | 76 | 77 | 78 | 79 | 80 | 81 | 82 | 83 | 84 | 85 | 86 | 87 | 88 | 89 | 90 | 91 | 92 | 93 | 94 | 95 | 96 | 97 | 98 | 99 | 100 | 101 | 102 | 103 | 104 | 105 | 106 | 107 | 108 | 109 | 110 | 111 | 112 | 113 | 114 | 115 | 116 | 117 | 118 | 119 | 120 | 121 | 122 | 123 | 124 | 125 | 126 | 127 | 128 | 129 | 130 | 131 | 132 | 133 | 134 | 135 | 136 | 137 | 138 | 139 | 140 | 141 | 142 | 143 | 144 | 145 | 146 | 147 | 148 | 149 | 150 | 151 | 152 | 153 | 154 | 155 | 156 | 157 | 158 | 159 | 160 | 161 | 162 | 163 | 164 | 165 | 166 | 167 | 168 | 169 | 170 | 171 | 172 | 173 | 174 | 175 | 176 | 177 | 178 | 179 | 180 | 181 | 182 | 183 | 184 | 185 | 186 | 187 | 188 | 189 | 190 | 191 | 192 | 193 | 194 | 195 | 196 | 197 | 198 | 199 | 200 | 201 | 202 | 203 | 204 | 205 | 206 | 207 | 208 | 209 | 210 | 211 | 212 | 213 | 214 | 215 | 216 | 217 | 218 | 219 | 220 | 221 | 222 | 223 | 224 | 225 | 226 | 227 | 228 | 229 | 230 | 231 | 232 | 233 | 234 | 235 | 236 | 237 | 238 | 239 | 240 | 241 | 242 | 243 | 244 | 245 | 246 | 247 | 248 | 249 | 250 | 251 | 252 | 253 | 254 | 255 | 256 | 257 | 258 | 259 | 260 | 261 | 262 | 263 | 264 | 265 | 266 | 267 | 268 | 269 | 270 | 271 | 272 | 273 | 274 | 275 | 276 | 277 | 278 | 279 | 280 | 281 | 282 | 283 | 284 | 285 | 286 | 287 | 288 | 289 | 290 | 291 | 292 | 293 | 294 | 295 | 296 | 297 | 298 | 299 | 300 | 301 | 302 | 303 | 304 | 305 | 306 | 307 | 308 | 309 | 310 | 311 | 312 | 313 | 314 | 315 | 316 | 317 | 318 | 319 | 320 | 321 | 322 | 323 | 324 | 325 | 326 | 327 | 328 | 329 | 330 | 331 | 332 | 333 | 334 | 335 | 336 | 337 | 338 | 339 | 340 | 341 | 342 | 343 | 344 | 345 | 346 | 347 | 348 | 349 | 350 | 351 | 352 | 353 | 354 | 355 | 356 | 357 | 358 | 359 | 360 | 361 | 362 | 363 | 364 | 365 | 366 | 367 | 368 | 369 | 370 | 371 | 372 | 373 | 374 | 375 | 376 | 377 | 378 | 379 | 380 | 381 | 382 | 383 | 384 | 385 | 386 | 387 | 388 | 389 | 390 | 391 | 392 | 393 | 394 | 395 | 396 | 397 | 398 | 399 | 400 | 401 | 402 | 403 | 404 | 405 | 406 | 407 | 408 | 409 | 410 | 411 | 412 | 413 | 414 | 415 | 416 | 417 | 418 | 419 | 420 | 421 | 422 | 423 | 424 | 425 | 426 | 427 | 428 | 429 | 430 | 431 | 432 | 433 | 434 | 435 | 436 | 437 | 438 | 439 | 440 | 441 | 442 | 443 | 444 | 445 | 446 | 447 | 448 | 449 | 450 | 451 | 452 | 453 | 454 | 455 | 456 | 457 | 458 | 459 | 460 | 461 | 462 | 463 | 464 | 465 | 466 | 467 | 468 | 469 | 470 | 471 | 472 | 473 | 474 | 475 | 476 | 477 | 478 | 479 | 480 | 481 | 482 | 483 | 484 | 485 | 486 | 487 | 488 | 489 | 490 | 491 | 492 | 493 | 494 | 495 | 496 | 497 | 498 | 499 | 500 | 501 | 502 | 503 | 504 | 505 | 506 | 507 | 508 | 509 | 510 | 511 | 512 | 513 | 514 | 515 | 516 | 517 | 518 | 519 | 520 | 521 | 522 | 523 | 524 | 525 | 526 | 527 | 528</ |
|--|---|---|---|---|-----|-------|

Map of Survey
Depicting
TOWN OF JACKSON FAIRGROUNDS
including the
RODEO GROUNDS &
PUBLIC WORKS DEPARTMENT LAND
located within
NE1/4 and SE1/4 of Section 33
T41N R16W 6th P.M.
Teton County, Wyoming

EXHIBIT B



STAFF REPORT



Meeting Date:	October 18, 2021	Meeting Title:	Regular
Submitting Department:	Legal	Presenter:	Lea Colasuonno
Agenda Item:	Lease Amendment: Fairgrounds Cell Tower	Public Comment:	Yes

Purpose & Policy Considerations.

The purpose of this item is for Council to consider amending the Option and Lease Agreement governing the cell tower located at the Town of Jackson fairgrounds property ("Fairgrounds").

Requested Action.

Staff requests Council consider the proposed amendment to the Option and Lease Agreement ("Lease Amendment") attached to this staff report.

Recommendations.

Staff recommends Council approve, and the Mayor execute, the Lease Amendment as proposed in the attachment to this staff report.

Background.

The Town and AT&T entered into the Option and Lease Agreement in 2014, pursuant to which AT&T constructed a cell tower on the Fairgrounds. The Option and Lease Agreement term expires in 2034. Subsequent to execution of the Option and Lease Agreement, AT&T assigned the Agreement to Diamond Communications and also leased space on the tower to T-Mobile. Thus, currently the tower is owned by Diamond Communications and hosts both T-Mobile and AT&T wireless communication equipment.

Recently T-Mobile sought to both upgrade its existing equipment and add new equipment to the tower. While the Option and Lease Agreement allows for some exchange of equipment and some upgrading of equipment, it does not allow the specific equipment T-Mobile sought to add to the tower without the Town's consent. Thus, ultimately, T-Mobile could not add its desired equipment to the tower and Diamond Communications, the tower owner, approached the Town about amending the Option and Lease Agreement to allow T-Mobile to do so.

Analysis.

Taking into consideration the likely redevelopment of the Fairgrounds in coming years, the unattractiveness of the tower in its current form and location, and the challenging location of the tower (currently in a high-use area on the Fairgrounds), the Town Attorney negotiated an amendment to the Option and Lease Agreement with Diamond Communications. Specifically, executing the Lease Amendment would provide the following exchange:

✓ Diamond Communications provides the Town:

- 1. Increased rent payments.** Diamond Communications will provide the Town 40% of all lease payments it gets from future tower sublessees (including T-Mobile), with a minimum monthly increase of \$360. The Town will also continue to receive base rent under the existing lease structure (including a 3.5% CPI annual escalator).
- 2. Relocation of the tower from the Fairgrounds to an as-yet unspecified site within the Town by January 1, 2027.** Diamond Communications will relocate the tower at its sole cost. The relocation must take place by January 1, 2027.

- ✓ The Town of Jackson provides Diamond Communications:
 1. **A longer lease term, if the tower is relocated by January 1, 2027.** If the tower is relocated by January 1, 2027, the newly-relocated tower will have a 20-year term beginning the day it receives a final certificate of completion from the Planning & Building Department. If the tower is not relocated timely, the term is not extended (it will expire at the Fairgrounds location in 2034).
 2. **The Town's consent to add T-Mobile's new equipment on the tower.** The specific equipment requested by T-Mobile will be added to the tower. However, the underlying Option and Lease Agreement limitations remain in place.

Possible Alternatives.

Town Council may:

- Reject the Lease Amendment, thus keeping the status quo (the cell tower remains where it is for the existing lease term (until 2034); new T-Mobile equipment does not get added to the tower; and rent payments do not increase).
- Direct the Town Attorney to negotiate different/additional terms and conditions.

Comprehensive Plan & Priority Alignment.

Comp Plan Section 4. Town as the Heart of the Region - The Central Complete Neighborhood:

- Concentrating development and activity in the Town, already the community's largest and most Complete Neighborhood, includes enabling and optimizing communications in the Town by "improving the quality of life in Town and the economic stability and service delivery for the entire community."

Section 6. A Diverse and Balanced Economy:

- The Comp Plan envisions "developing a sustainable, vibrant, stable and diversified local economy" with specific goals that include "enhancing tourism as the basis of the economy, encouraging local entrepreneurial opportunities, facilitating viable local businesses, [and] ensuring year-round economic viability." Developing, maintaining and improving wireless communication infrastructure within the Town are fundamental to each of these goals.

Section 7. Multimodal Transportation:

- Alternative transportation, including rideshare vehicles, bikeshares, and large-scale mass transit is a critical component of the Comp Plan "given our Vision to preserve and protect the ecosystem in order to enhance our community character." These alternative transportation modes all require wireless communications networks that function seamlessly.

Section 8. Quality Community Service Provision:

- This Comp Plan section opens with the statement that "life-safety, educational, social, cultural and recreational services [are] central to residents' Quality of Life and a visitor's experience" and specifically highlights the need for "the efficient, timely, and safe delivery of critical utilities and services, such as police, fire protection, emergency medical treatment, and water and sewer services." All of these services rely on wireless communication networks to operate.

Fiscal Impact.

If Council approves the Lease Amendment, the Town will receive increased monthly rent payments, specifically Diamond Communications will provide the Town:

1. Ongoing base rent from the original lease with an annual 3.5% escalator; and

2. 40% of new revenue generated from expansion of use on the tower, with the additional caveat that the Town will receive a minimum additional amount of \$360/per month.

Staff Impact.

The staff Impact of this item has been felt mostly in the Legal Department (30 hours) but also includes time from staff in Public Works and Administration (10 hours combined).

Attachments or Links.

- Lease Amendment

Suggested Motion.

I move to approve the Lease Amendment as proposed in the attachment to this staff report and authorize the Mayor to execute it, subject to minor changes by the Town Attorney.

FIRST AMENDMENT TO LEASE AGREEMENT

THIS FIRST AMENDMENT TO LEASE AGREEMENT (the “**Amendment**”) is made and entered into as of October __, 2021 (the “**Amendment Effective Date**”), by and between the Town of Jackson, a Wyoming Municipal Corporation having an address at 150 East Pearl Avenue, Jackson, Wyoming 83001 (“**Landlord**”), and Diamond Towers IV LLC, a Delaware limited liability company having an address at 120 Mountain Avenue, Springfield, New Jersey 07081 (“**Tenant**”).

RECITALS

WHEREAS, Landlord and New Cingular Wireless PCS, LLC (the “**Original Tenant**”) entered into an Option and Lease Agreement dated March 28, 2014 (the “**Lease**”), under which Original Tenant was permitted to lease a portion of the property known as 305 West Snow King Avenue, Jackson, Wyoming 83001 (the “**Property**”), for purposes of allowing Original Tenant to install and maintain a Communication Facility at the Property.

WHEREAS, Original Tenant assigned the Lease to Tenant by that certain Assignment of Lease and Bill of Sale dated July 22, 2014; and

WHEREAS, Tenant subleases the Communication Facility to certain mobile wireless network operators (each, an “**Operator**”), including T-Mobile West LLC (“**T-Mobile**”), in which such Operators are permitted to use the Communication Facility to broadcast their respective wireless signals.

WHEREAS, T-Mobile desires to add additional antennas to the Communication Facility and upgrade its antennas on the Communication Facility to “5G.”

WHEREAS, Landlord and Tenant desire to amend the terms of the Lease on the terms and conditions set forth below.

NOW, THEREFORE, in consideration of the mutual covenants and promises contained herein and other good and valuable consideration, the parties agree that the Lease is hereby amended as follows:

1. RECITALS/CAPITALIZED TERMS. The parties hereby acknowledge and agree that the foregoing recitals are true and correct and are incorporated herein by reference. Capitalized terms used herein and not otherwise defined shall have the meaning given such terms in the Lease.

2. ADDITIONAL ANTENNAS/EQUIPMENT. Landlord hereby consents to T-Mobile adding three additional antennas to the Communication Facility, and upgrading the antennas to “5G,” pursuant to Basic Use Permit P20-189 approved by the Town of Jackson Planning and Building Department on February 5, 2021. With the exception of the specific consent stated herein, the terms and conditions of Section 2 of the Lease will remain in effect. For the avoidance of doubt, however, Landlord and Tenant hereby agree that Landlord shall not be permitted to condition its consent to or approval of any material alterations, upgrades, or additions to the Communication Facility after the Amendment Effective Date (including any increases to the

number of antennas or other equipment on the Communication Facility) on Tenant's payment of increased Rent (or any other payments from Tenant).

3. ADDITIONAL RENT. Landlord and Tenant agree that the terms and conditions for Rent under Section 4 of the Lease shall remain the same, except that Rent will now also include an amount equal to forty percent (40%) of any New Revenue actually received by Tenant in connection with the Communication Facility. "**New Revenue**" shall mean any increase in the recurring monthly rent, license fees, or other payments paid by an Operator, and actually received by Tenant, in accordance with an amendment to an existing agreement or a new agreement entered into after the Amendment Effective Date, between Tenant and said Operator in connection with the Communication Facility (including any escalations relating to such increase pursuant to a rent escalation clause). Tenant will provide Landlord with a complete copy of any amendment to an existing agreement, or a new agreement entered into after the Amendment Effective Date, between Tenant and an Operator in connection with the Communication Facility. For the avoidance of doubt, New Revenue will include the additional \$885 per month that Tenant will be receiving under an amendment to its existing agreement with T-Mobile in connection with the Communication Facility, and, therefore, the parties hereby agree that the current Rent (as of the Amendment Effective Date) will be increased by at least \$354 per month ($\$885 \times .40$). Notwithstanding the foregoing, New Revenue will not include any escalation relating to recurring monthly rent, license fees, or other payments under a rent escalation clause in an existing agreement between Tenant and an Operator entered into on or prior to the Amendment Effective Date and not amended thereafter. New Revenue will also not include (a) any non-recurring payments that Tenant receives from an Operator as a capital contribution, (b) any utility charges, taxes, insurance expenses, or other similar expense reimbursements that Tenant receives from an Operator, (c) any security deposits that Tenant receives from an Operator, or (d) any proceeds that Tenant receives from the sale or transfer of the Communication Facility or the sale or assignment of any of its agreements with an Operator.

4. TERM. The Term of the Lease under Section 3 shall remain unchanged. However, if Tenant receives approval from the Town of Jackson prior to January 1, 2027 to move the Communication Facility to a new location within the Town of Jackson, then Landlord shall agree to amend the Lease to extend the Term for 20 years, with such 20-year extension to commence upon the first day of the month following the completion of the new Communication Facility and the receipt of the final certificate of completion from the Town of Jackson Planning and Building Department, and any other required governmental permits required for the installation and operation of the Communications Facility.

5. ENTIRE AMENDMENT. This Amendment sets forth the entire amendment of the parties with respect to its subject matter. Except as otherwise expressly set forth herein and amended by this Amendment, all terms of the Lease shall remain in full force and effect. If there is any conflict between the terms and conditions of this Amendment and the terms and conditions of the Lease, the terms and conditions of this Amendment shall prevail.

6. COUNTERPARTS. This Amendment may be executed in multiple counterparts, each of which shall be deemed to be an original, but all of which together shall constitute one and the same instrument. This Amendment may be executed by original or electronic signatures (including through DocuSign), and copies of this Amendment will legally bind the parties to the same extent as original documents.

7. NOTICES. Section 17 of the Lease is hereby deleted in its entirety and replaced with the following:

All notices, requests and demands hereunder shall be in writing and shall be deemed duly made and effective on the date it is sent by both (a) email and (b) overnight mail by a nationally recognized courier to the addresses below:

If to Landlord:

The Town of Jackson
Attn: Town Clerk
P.O. Box 1687
150 E. Pearl
Jackson, WY 83001
Email: lynseylenamond@jacksonwy.gov

If to Tenant:

Diamond Towers IV LLC
Attn: Legal Department
210 Mountain Avenue, Unit 619
Springfield, NJ 07081
Email: notices@diamondcomm.com

Either party may change its mailing or email address for notification purposes by giving the other party at least 30 days' written notice of the new address.

[Signatures appear on following page]

IN WITNESS WHEREOF, the parties have caused this Amendment to be executed by their respective representatives duly authorized thereunto as of the Amendment Effective Date.

LANDLORD:

THE TOWN OF JACKSON

By: _____

Name:

Its:

TENANT:

DIAMOND TOWERS IV LLC

By: _____

Name: Michael G. Brett

Its: Chief Operating Officer

STAFF REPORT



Meeting Date:	October 18, 2021	Meeting Title:	Regular
Submitting Department:	Public Works	Presenter:	Brian Lenz, Town Engineer
Agenda Item:	P21-210: Encroachment Agreement – 580 South Willow St	Public Comment:	Yes

Purpose & Policy Considerations.

For the Town Council to consider approving a Shoring Encroachment Agreement in the public right-of-way for, approximately 97 linear feet on South Willow Street and approximately 30 linear feet on East Snow King Avenue, temporary micro-pile shoring. This shoring is temporary in purpose for the construction of the foundation for a multi-use building at 580 South Willow Street.

Requested Action.

Staff requests Town Council approval of the Shoring Encroachment Agreement as presented in the draft attached to this staff report.

Recommendations.

Staff recommends the Town Council approve the Shoring Encroachment Agreement as presented in the draft attached to this staff report.

Background.

Shoring is a general term for a variety of systems used to retain soils in an excavation. Typical shoring systems include soil nail walls, micro-pile walls, pile and lagging, combinations, and others. Shoring systems allowed in the Town are typically temporary in purpose but permanent in their installation. Except those systems within the right of way must remove all shoring within four feet vertically of the surface. Encroachment Agreements for Shoring memorialize the nature, location, and terms of the installation. Particularly that temporary shoring can be partially or completely removed or disturbed without damaging the adjacent building and indemnifying the Town against damages.



The property is located at the corner of South Willow Street and East Snow King Avenue. The temporary shoring is part of the new multiuse building that is currently under construction. While not originally anticipated during permitting, with construction underway, the contractor's safety manager required the shoring. Staff review found the shoring to be acceptable and allowed for the shoring to be completed on condition that an encroachment agreement be executed.

This shoring has already been installed in accordance with the draft Shoring Encroachment Agreement and this Agreement is being executed after the fact.

Analysis.

The Engineering Department determined that there was significant public benefit to allowing the construction to continue while the Agreement was processed to minimize the duration of the construction impacts on the public rights-of-way.

CONDITIONS OF APPROVAL

Staff recommends the following conditions as part of their approval:

1. Encroaching Party shall provide all the required exhibits for the Encroachment Agreement. Exhibits shall be to scale on 8.5"X11" paper in black and white without aerial photographs, or as approved by the Town Engineer.
2. The Encroachment Agreement shall be recorded, and the Encroaching Party is responsible for all Teton County Clerk recording fees.
3. All shoring materials within four feet vertically of the surface shall be removed.
4. Temporary anchors located within 10 feet of the surface at the wall shall be able to be removed by an excavator or easily cut with a chop saw, and not integral to the long-term stability of the structure.
5. Encroaching Property shall be temporary and may be disturbed, destroyed or removed in connection with any construction, installation, excavation, maintenance or replacement of the right-of-way or any public utilities located therein following completion of construction of the building on Encroaching Party's property.

Possible Alternatives.

1. Deny the Shoring Encroachment Agreement and direct staff to have the contractor remove all remnants of the shoring.
2. Direct the Town Attorney and Town Engineer to negotiate additional/different terms for the Shoring Encroachment Agreement.
3. Other.

Comprehensive Plan & Priority Alignment.

This project supports the Town Comprehensive Plan as follows:

Common Value 2: Growth Management

4.1.d: Maintain Jackson as the economic center of the region

The project is mixed-use development which includes retail, office, and residential spaces that serve local businesses, residents and visitors.

4.2.c: Create vibrant walkable mixed-use subareas

This development preserves the human-scale walkable mixed-use character of this portion of Willow St.

4.2.d: Create a Downtown Retail Shopping District

The proposed retail portion of this development serves residents and visitors.

Fiscal Impact.

There are no quantifiable fiscal impacts associated with this Shoring Encroachment Agreement.

Staff Impact.

Engineering, Legal, and Administration all collaborate to manage and craft encroachment agreements. Preparation of this Shoring Encroachment Agreement and staff report took about 6-8 staff hours to complete.

Attachments or Links.

Shoring Encroachment Agreement between the Town and DW 580, LLC.

Suggested Motion. *Council always has the option to adopt, approve with conditions, continue, or deny items.*

I move to approve the attached Shoring Encroachment Agreement between DW 580, LLC and the Town of Jackson subject to approval and minor changes by the Town Attorney and Town Engineer.

TOWN OF JACKSON ENCROACHMENT AGREEMENT

THIS ENCROACHMENT AGREEMENT ("Agreement"), by and between DW 580, LLC, with an address of PO Box 910, 580 S Willow Street, hereinafter referred to as "Encroaching Party" and the TOWN OF JACKSON, a municipal corporation of the State of Wyoming, with an address of P.O. Box 1687 Jackson, WY 83001 hereinafter referred to as "Town," together "Parties," provides as follows:

WHEREAS, Encroaching Party is the owner in fee simple of that certain real property in Teton County, Wyoming, described as follows:

Street Address: 580 South Willow Street

Location: Lot 9 and 10, Block 4, Meadowland Addition

PIDN: 22-41-16-34-2-36-011

WHEREAS, the Town is the owner of that certain public rights-of-way known as South Willow Street and East Snow King Avenue, Plat No. 0127, which public rights-of-way adjoins Encroaching Party's property.

WHEREAS, the Encroaching Party shall encroach in a portion of the above-noted public right-of-way as set forth in Exhibit A, attached hereto and made a part hereof by this reference, for:

130 LF of micro pile shoring walls as approved in Building Permit B19-0393 plans, (hereinafter "Encroaching Property").

WHEREAS, on October 18, 2021, the Jackson Town Council voted to approve and authorize the mayor to sign the Encroachment Agreement between the Town of Jackson and the Encroaching Party for the Encroaching Property subject to final review and approval by the Town Attorney and the following conditions:

1. Encroaching Party shall provide all the required exhibits for the Encroachment Agreement. Exhibits shall be to scale on 8.5"X11" paper in black and white without aerial photographs, or as approved by the Town Engineer.
2. The Encroachment Agreement shall be recorded, and the Encroaching Party is responsible for all Teton County Clerk recording fees.
3. All shoring materials within four feet vertically of the surface shall be removed.
4. Temporary anchors located within 10 feet of the surface at the wall shall be able to be removed by an excavator or easily cut with a chop saw, and not integral to the long-term stability of the structure.
5. Encroaching Property shall be temporary and may be disturbed, destroyed or removed in connection with any construction, installation, excavation, maintenance or replacement of the right-of-way or any public utilities located therein following completion of construction of the building on Encroaching Party's property.

WHEREAS, Encroaching Party recognizes that it cannot acquire any right, title, or interest in and to the said public rights-of-way by adverse possession or otherwise due to the encroachment.

NOW, THEREFORE, IT IS HEREBY AGREED that for and in consideration of the aforesaid premises and good and valuable consideration, the receipt of which is hereby acknowledged, paid by each of the said parties to the other, Encroaching Party and the Town do mutually covenant and agree as follows:

1. ACKNOWLEDGMENT OF TOWN'S RIGHTS:

Encroaching Party acknowledges the Town's exclusive rights, title, and interest in the public rights-of-way and that it cannot acquire any right, title, or interest in the afore-referenced public rights-of-way now or hereafter.

2. AGREEMENT TO ALLOW ENCROACHMENT:

The Town agrees that Encroaching Party shall have the right to have the Encroaching Property extend beyond the boundary line of above-noted Town rights-of-way and properties, to encroach and rest within the subsurface of the Town rights-of-way and properties, it being acknowledged and agreed that such subsurface use constitutes a use of the Town rights-of-way area for a purpose not inconsistent with standard construction practices. Completion of construction of said building shall be deemed to have

occurred upon the completed backfill of the foundation.

The Encroaching Party shall submit to the Town Engineer record drawings of the shoring to document the shoring's "as-built" location.

3. RIGHT TO MAINTAIN:

Intentionally deleted.

4. RELEASE OF CLAIMS:

Encroaching Party hereby releases and holds harmless the Town of Jackson from any and all damage, claim, cause, or right of action which may arise from normal Town use, maintenance, construction, repair or replacement activities by the Town associated with the Town rights-of-way in its present configuration and alignment and any of the present utilities within the Town rights-of-way and which may arise due to the proximity of the Encroaching Property to the work activity being conducted by the Town. In elaboration of the foregoing, Encroaching Party hereby expressly authorizes the Town, acting through its contractors and agents, to disturb, damage or remove the Encroaching Property in connection with the above-described work activity at any time following completion of the building being constructed on Encroaching Party's property. Encroaching Party hereby releases and holds harmless the Town of Jackson from any and all damage, claim, cause, or right of action which may arise from disturbance, damage or removal of the Encroaching Property by Town or its agents, including, without limitation, any of the foregoing that may result in instability of the building being constructed on Encroaching Party's property or any of the appurtenances thereto, except to the extent the same is caused by the malicious or negligent acts or omissions of the Town or its contractors.

5. INDEMNIFICATION:

Encroaching Party, and its successors in interest and assigns, hereby agrees to indemnify and hold harmless the Town of Jackson from any and all losses, damages, claims, causes of action, or rights of action, including reasonable attorney's fees, which the Town may incur as a result of or in any way related to the construction, use, and/or maintenance of the Encroaching Property. The Town will give the Encroaching Party prompt notice of any claims against it arising from or related to such Encroaching Property and the Encroaching Party will be kept fully informed and advised of material matters relating to the defense and handling of such claim by the Town, its insurers, or its attorneys. Nothing in this Agreement shall alter, amend, modify, or diminish the existing statutory, constitutional, or legal defenses of the Town in relation to such claims under the Wyoming law.

6. BINDING COVENANT:

The provisions of this Agreement shall operate as a covenant running with all parcels of land above described and shall bind both parties hereto and their respective successors and assigns in ownership.

7. TERM OF AGREEMENT:

This instrument and all the covenants contained herein shall remain in force and effect until such time as the Encroaching Property is, whether partially or entirely, removed, demolished or destroyed, whether such removal, demolition, or destruction is intentional or by casualty loss, such as fire, earthquake, or other unforeseen occurrence. Removal, demolition, and destruction of Encroaching Property, or any portions thereof, by the Town shall be based on legitimate municipal interests, including but not limited to, the Town's need or desire for additional portions of the rights-of-way. Following completion of the building being constructed on Encroaching Party's property as defined in herein, no notice of removal is required. Upon removal, demolition, or destruction of the Encroaching Property, whether partially or entirely, all rights of Encroaching Party provided herein, and that if its successors and assigns, shall cease.

8. NO THIRD-PARTY BENEFICIARY:

This Agreement is made solely and specifically among and for the benefit of the parties hereto, and their respective successors and assigns, and no other person or entity will have any rights, interest, or claims hereunder or be entitled to any benefits under or on account of this Agreement as a third-party beneficiary or otherwise.

9. HEADINGS:

Headings used in this Agreement are for convenience only and shall not be deemed to constitute a part hereof, or shall not be deemed to limit, characterize, or in any way affect the provisions of this Agreement.

10. MODIFICATION IN WRITING:

No modification, waiver, amendment, addition or cancellation of this document shall be effective unless

in writing and signed by both parties.

11. BINDING EFFECT AND SEVERABILITY:

This Agreement shall be binding upon and inure to the benefit of the parties hereto, their heirs, legal representatives, successors, and permitted assigns unless voluntarily terminated upon agreement by all parties or their heirs, legal representatives, successors, and permitted assigns. If a Court finds any provision of this Agreement to be invalid or unenforceable, such finding shall not render the entire Agreement void or unenforceable. If feasible, the offending provision shall be deemed modified within the limits of enforceability or validity. If the offending provision cannot be modified, it shall be stricken and all other provision of this Agreement in all other respects shall remain valid and enforceable.

12. RECORDING:

This Agreement shall be executed upon its approval by the Jackson Town Council and shall thereupon be filed with the Town Clerk and recorded in the Land Records of Teton County, Wyoming at the Encroaching Party's sole cost.

13. GOVERNING LAW AND FORUM:

This Agreement shall be construed, performed and enforced in accordance with, and governed by, the laws of the State of Wyoming, without giving effect to the principles of conflict of laws thereof. The parties hereto irrevocably elect as the sole judicial forum for the adjudication of any matters arising under or in connection with this Agreement, and consent to the jurisdiction of, the courts of the County of Teton, State of Wyoming, or the United States of America for the District of Wyoming. This Agreement was negotiated by both parties hereto. As such, this Agreement shall not be construed against or in favor of any party by virtue of which party drafted it or any portion thereof.

14. COUNTERPARTS:

This Agreement may be executed in multiple counterparts, each of which shall be an original but all of which together constitute one and the same instrument.

15. GOVERNMENTAL IMMUNITY:

The Town of Jackson does not waive its governmental immunity by entering into this agreement, and fully retains all immunities and defenses provided by law with respect to any action based on or occurring as a result of this Agreement.

16. WAIVER:

A waiver by either party regarding the breach of any of the provisions of this Agreement shall not bar the right of the parties to enforce the terms of this Agreement.

17. ENTIRE AGREEMENT:

The parties agree that this Agreement reflects the entire agreement between the parties as to the subject matter hereof, and no amendment of such Agreement shall be effective unless in writing and signed by both parties.

18. ELECTRONIC SIGNATURES:

The words "execution," "signed," "signature," and words of like import in this Agreement shall be deemed to include electronic signatures or the keeping of records in electronic form, each of which shall be of the same legal effect, validity or enforceability as a manually executed signature or the use of a paper-based record keeping system, as the case may be, to the extent and as provided for in any applicable law.

IN WITNESS WHEREOF, the effective date of this agreement is _____.

[signatures follow on next page]

ENCROACHING PARTY

By: DW 580, LLC

Print Name: _____

Its: _____

STATE OF WYOMING)
)ss.
COUNTY OF TETON)

The foregoing instrument was acknowledged before me by _____, as its
property owner this____day of_____, 2021.

Witness my hand and official seal.

Notary Public

My commission Expires:

**TOWN OF JACKSON,
a municipal corporation
of the State of Wyoming**

By: _____
Hailey Morton Levinson, Mayor

Date: _____
 ATTEST: Lynsey Lenamond, Town Clerk

STATE OF WYOMING)
) ss.
COUNTY OF TETON)

The foregoing instrument was acknowledged before me by Hailey Morton Levinson and Lynsey Lenamond, who are each personally known to me or has each established their identity and authority to me by reasonable proof, this _____ day of _____, 2021.

Witness my hand and official seal.

My commission Expires:

Notary Public

TEMPORARY SHORING PLANS

DW580 TEMPORARY SHORING

JACKSON, WY
FC EXCAVATION



VICINITY MAP
(NOT TO SCALE)

SHEET INDEX

NO.	DESCRIPTION
C-01	COVER SHEET
C-02	GENERAL NOTES
C-03	SITE PLAN
C-04	SECTION VIEW
C-05	MICROPILE DETAILS
C-06	MICROPILE CAP DETAILS
C-07	MICROPILE SCHEDULE - PHASE I
C-08	MICROPILE SCHEDULE - PHASE II
C-09	MICROPILE SCHEDULE - PHASE II (SHEET 2)

AB

SHEET REVISIONS			PROJECT NAME:			DW580 TEMPORARY SHORING		 Geostabilization International®			
DATE	DESCRIPTION	NO	SHEET TITLE:								
03/11/21	ISSUED FOR REVIEW	IFR	COVER SHEET			Phone: 855.579.0536 Fax: 970.245.7737 www.geostabilization.com		EXHIBIT A TO ENCROACHMENT AGREEMENT			
03/12/21	ISSUED FOR CONSTRUCTION	IFC									
03/15/21	FIELD UPDATES TO SHORING LOCATIONS	REV1									
03/24/21	AS-BUILT (PHASE I)	AB									
04/08/21	ADDITIONAL SHORING QUANTITIES	REV2									
07/13/21	AS-BUILT (PHASE II)	AB	DRAWN BY:			CHECKED BY:	DATE:	PROJECT NUMBER:	SHEET		
			NFD	DEB	07/13/21	210066WY01	C-01				

THIS DRAWING IS FURNISHED SOLELY FOR THE USE OF OR IN CONNECTION WITH THIS PROJECT AND THE PROPRIETARY INFORMATION SHOWN HEREON IS NOT TO BE TRANSMITTED TO ANY OTHER ORGANIZATION WITHOUT SPECIFIC AUTHORIZATION BY GEOSTABILIZATION INTERNATIONAL (GSI). THE DESIGN IS ONLY VALID IF CONSTRUCTED AND SUPERVISED BY GSI OR ITS AUTHORIZED SUBCONTRACTOR.

- CONTRACTOR: GEOSTABILIZATION INTERNATIONAL "GSI"
- GSI PROJECT ENGINEER: DAMIEN BOSSE, PE
- ALL STEEL MATERIAL WILL BE NON-DOMESTIC ORIGIN, CERTIFICATIONS WILL BE PROVIDED UPON DELIVERY TO THE SITE.

- GSI WILL GENERATE A SITE SPECIFIC HEALTH AND SAFETY PLAN THAT MUST BE REVIEWED AND SIGNED BY ALL GSI EMPLOYEES, SUBCONTRACTORS, AND VISITORS TO THE SITE.
- ALL SAFETY PLANS FOR LIFTING, HEARING, DUST CONTROL, PPE ETC. ARE IN PLACE AND WILL BE FOLLOWED ACCORDINGLY. PPE WILL INCLUDE SAFETY VEST, STEEL TOED SHOES, HARD HAT, SAFETY GLASSES, AND GLOVES.
- GSI WILL LEAD A DAILY TAILGATE MEETING TO REVIEW JOB HAZARD ANALYSIS "JHA" FOR EACH OF THE DAYS ANTICIPATED TASKS.
- THE SITE WILL BE ORGANIZED AND CLEAR OF ANY TRASH OR DEBRIS. ALL TRASH WILL BE PLACED IN A PROPER CONTAINER AND SECURED OR REMOVED AT THE END OF EACH WORK DAY.

- 10-HOUR OCCUPATIONAL SAFETY AND HEALTH TRAINING COURSE IN CONSTRUCTION SAFETY & HEALTH
- AMERICAN RED CROSS STANDARD FIRST AID TRAINING
- AMERICAN RED CROSS BLOODBORNE PATHOGENS TRAINING: PDT

GS1 WILL PROVIDE AND INSTALL THE SPECIFIED MICROPILES AND MICROPILE CAP PER THESE DRAWINGS

1. EXCAVATE MICROPILE CAP TRENCH (BY OTHERS). GSI ENGINEERS OR THEIR DESIGNATED REPRESENTATIVE(S) CAN ADVISE ON EXCAVATION, AS NECESSARY.
2. INSTALLATION OF SELF-DRILLING MICROPILES.
 - 2.1. LAYOUT SHORING PATTERN.
 - 2.2. INSTALL MICROPILE ELEMENTS.
3. PREPARE CAP FOR CONCRETE.
 - 3.1. PLACE PLATES AND NUTS ON ANCHORS.
 - 3.2. PLACE STEEL REINFORCING WALERS.
4. PLACE CONCRETE AND TROWEL FLAT.
5. CLEAN AND FULLY DEMOBILIZE FROM SITE.

- MICROPILES WILL BE INSTALLED WITH A SUPERNAILER® MAST MOUNTED ON AN EXCAVATOR. A ROTARY PERCUSSION TOP HAMMER WILL BE UTILIZED IF NECESSARY.
- GROUT WILL BE MIXED AND PUMPED FROM A DOUBLE HOPPER GROUT PLANT UTILIZING A PROGRESSIVE CAVITY PUMP.

- PRIOR TO GSI MOBILIZATION ANY POTENTIAL CONFLICTS: UTILITIES, RIGHT-OF-WAY LIMITS, ETC SHALL BE MARKED (BY OTHERS). POTHOLING MAY BE REQUIRED TO DETERMINE ACTUAL LOCATION(S) AND DEPTH(S) OF UTILITY(IES) AND WILL BE PROVIDED BY OTHERS AS NEEDED TO ENSURE THE SAFETY OF WORKERS AND PROTECTION OF UTILITIES.
- GSI ENGINEERING STAFF OR THEIR DESIGNATED REPRESENTATIVE(S) WILL ADVISE ON LAYOUT OF THE SHORING ALIGNMENT.
- GSI WILL MARK THE LOCATIONS OF THE STABILIZATION ELEMENTS WITH SURVEY MARKING PAINT.
 - ADJUSTMENTS, AS DIRECTED BY GSI ENGINEERING STAFF, MAY BE REQUIRED TO MEET ON-SITE CONDITIONS.

THE MICROPILE ELEMENTS CONSIST OF FULLY GROUTED, PASSIVE, SELF-DRILLING SUPERNAILS®, INSTALLED IN 5 OR 10 FOOT LENGTHS. ADDITIONAL LENGTHS WILL BE COUPLED TO THE DRILL STRING AS THE ANCHOR IS ADVANCED UNTIL DESIGN DEPTH IS ACHIEVED.

- PHYSICAL PROPERTIES:
 - MINIMUM BAR YIELD WILL BE 91 KIPS.
 - BAR DIAMETER (OD/ID): 40MM/ 21MM
 - THREAD TYPE: WILLIAMSFORM CORP. T-THREAD (MEETS ASTM A519 OR A513)
 - BIT DIAMETER WILL BE AS SHOWN.
- DESIGN UNIT ALLOWABLE PULLOUT STRESS IS MATERIAL DEPENDENT. NAIL LENGTHS MAY BE ADJUSTED BY GSI ENGINEERING STAFF DEPENDING ON SOIL/ROCK CONDITIONS ENCOUNTERED.
- THE SUPERNAILS® WILL BE INSTALL BY INJECTING NEAT CEMENT GROUT THROUGH THE CENTER OF THE BAR DURING DRILLING; GROUT RETURN ALONG THE ANNULUS BETWEEN SOIL AND BAR WILL FLUSH CUTTINGS, PROVIDE ENCAPSULATION OF THE BAR, AND CENTRALIZE THE ANCHOR.

- DESIGN 28 DAY COMPRESSIVE STRENGTH: 3,000 PSI
- TARGET RANGE WATER TO CEMENT RATIO: 0.5 TO 0.6
- SPECIFIC GRAVITY RANGE (MEASURED BY MUD BALANCE): 1.84 TO 1.75

TYPICAL GROUT MIX DESIGN (PER 5 - 94 LB. BAG MIX)			
MATERIAL	WEIGHT (LBS.)	VOLUME (FT ³)	FIELD UNIT VOLUME
WATER	235-282	3.8-4.5	28.4 - 33.7 GALLONS
CEMENT (TYPE I/II)	470	2.37	5 BAGS (94 LBS.)
TOTAL UNIT	705 - 752	6.17-6.87	--

TYPICAL GROUT MIX DESIGN(PER 94 LB. BAG)			
MATERIAL	WEIGHT (LBS.)	VOLUME (FT ³)	FIELD UNIT VOLUME
WATER	47 - 56.4	0.75 - 0.9	5.6 - 6.8 GALLONS
CEMENT (TYPE I/II)	94	0.47	1 BAG
TOTAL UNIT	141 - 150.4	1.22 - 1.37	--

- ANCHOR HEAD ELEMENTS CONSIST OF 6" X 6" X 1/2", GRADE A36, STEEL PLATES ATTACHED WITH HEX NUT.
- SUPERNAIL® BAR EXTENDING BEYOND THE HEX NUTS WILL BE TRIMMED USING A GAS POWERED DEMOLITION SAW OR ELECTRICAL BAND SAW.

THE WET-MIX PROCESS CONSISTS OF THOROUGHLY MIXING ALL THE INGREDIENTS, INTRODUCING THE MIXTURE INTO THE DELIVERY EQUIPMENT AND DELIVERING IT, BY POSITIVE DISPLACEMENT, TO THE CAP.

CARE WILL BE TAKEN TO ENCASE THE REINFORCEMENT AND PREVENT VOIDS OR POCKETS FROM FORMING.

DESIGN 28 DAY COMPRESSIVE STRENGTH:	3000 PSI
TARGET RANGE WATER TO CEMENT RATIO:	0.4 TO 0.5
SLUMP:	3 TO 4 INCHES

TYPICAL CONCRETE MIX DESIGN (PER YD ³)			
MATERIAL		WEIGHT (LBS.)	VOLUME (FT ³)
AGGREGATE NO. 1	¾" PEA	650	3.8
AGGREGATE NO. 2	CONCRETE SAND	1800	10.9
AIR	6% TOTAL	--	1.6
WATER	--	360	5.8
FLY ASH	TYPE F	150	1.1
CEMENT	TYPE I/II	750	3.8
TOTAL	--	3710	27.0

* MIX DESIGN MAY BE ADJUSTED BASED ON LOCAL SUPPLIERS, SITE AND WEATHER CONDITIONS.

SHEET REVISIONS		
DATE	DESCRIPTION	NO
03/11/21	ISSUED FOR REVIEW	IFR
03/12/21	ISSUED FOR CONSTRUCTION	IFC
03/15/21	FIELD UPDATES TO SHORING LOCATIONS	REV1
03/24/21	AS-BUILT (PHASE I)	AB
04/08/21	ADDITIONAL SHORING QUANTITIES	REV2
07/13/21	AS-BUILT (PHASE II)	AB

DW580 TEMPORARY SHORING

GENERAL NOTES

DRAWN BY:	CHECKED BY:	DATE:	PROJECT NUMBER:	SHEET
NFD	DEB	07/13/21	210066WY01	C-02

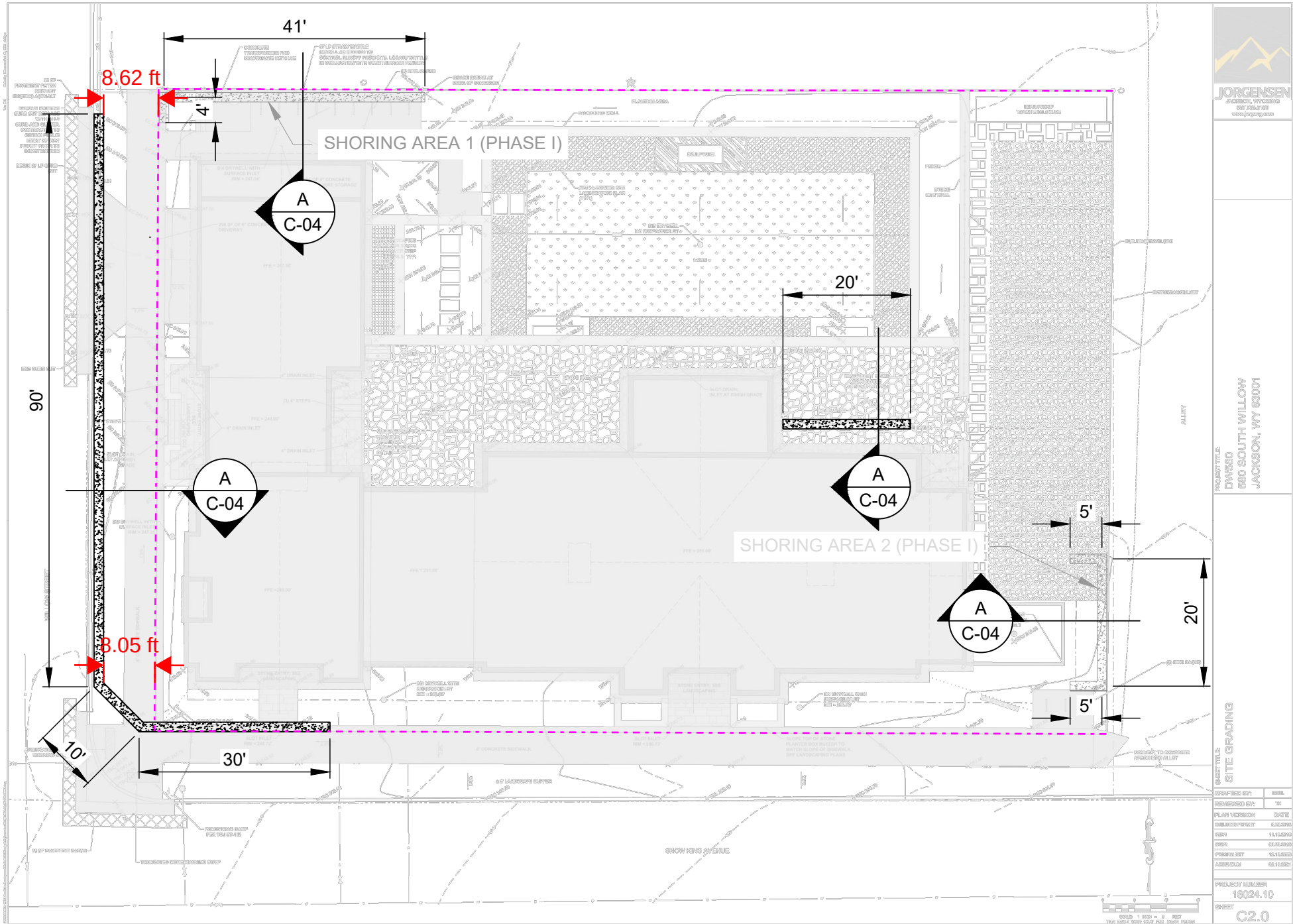


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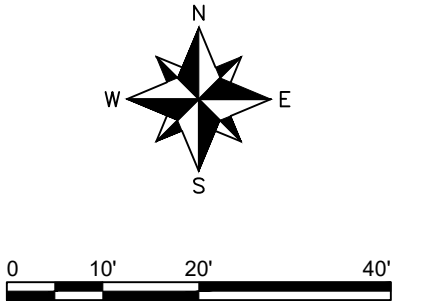
EXHIBIT A TO
ENCROACHMENT AGREEMENT

 AB



- NOTES:
1. BACKGROUND IMAGE OBTAINED FROM NORTHWORKS ARCHITECTS & PLANNERS DW580 IFC DRAWING SET, DATED 2/19/21.
 2. SHORING AREAS SHOWN ARE APPROXIMATE.
 3. PROPOSED MICROPILE CAP ALONG WESTERN SIDE OF EXCAVATION TO BE CONSTRUCTED BEHIND THE EXISTING CAP AT THE NW CORNER OF THE EXCAVATION. OVERLAP EXISTING CAP AND PROPOSED CAP 2' MINIMUM AS SHOWN.

ESTIMATED QUANTITIES			
PAY ITEM	QTY	QTY (AB)	UNIT
TEMPORARY MICROPILE SHORING - PHASE I	75	75	LF
TEMPORARY MICROPILE SHORING - PHASE II	180	150	LF



AB

SHEET REVISIONS		
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04/08/21	ADDITIONAL SHORING QUANTITIES	REV2
07/13/21	AS-BUILT (PHASE II)	AB
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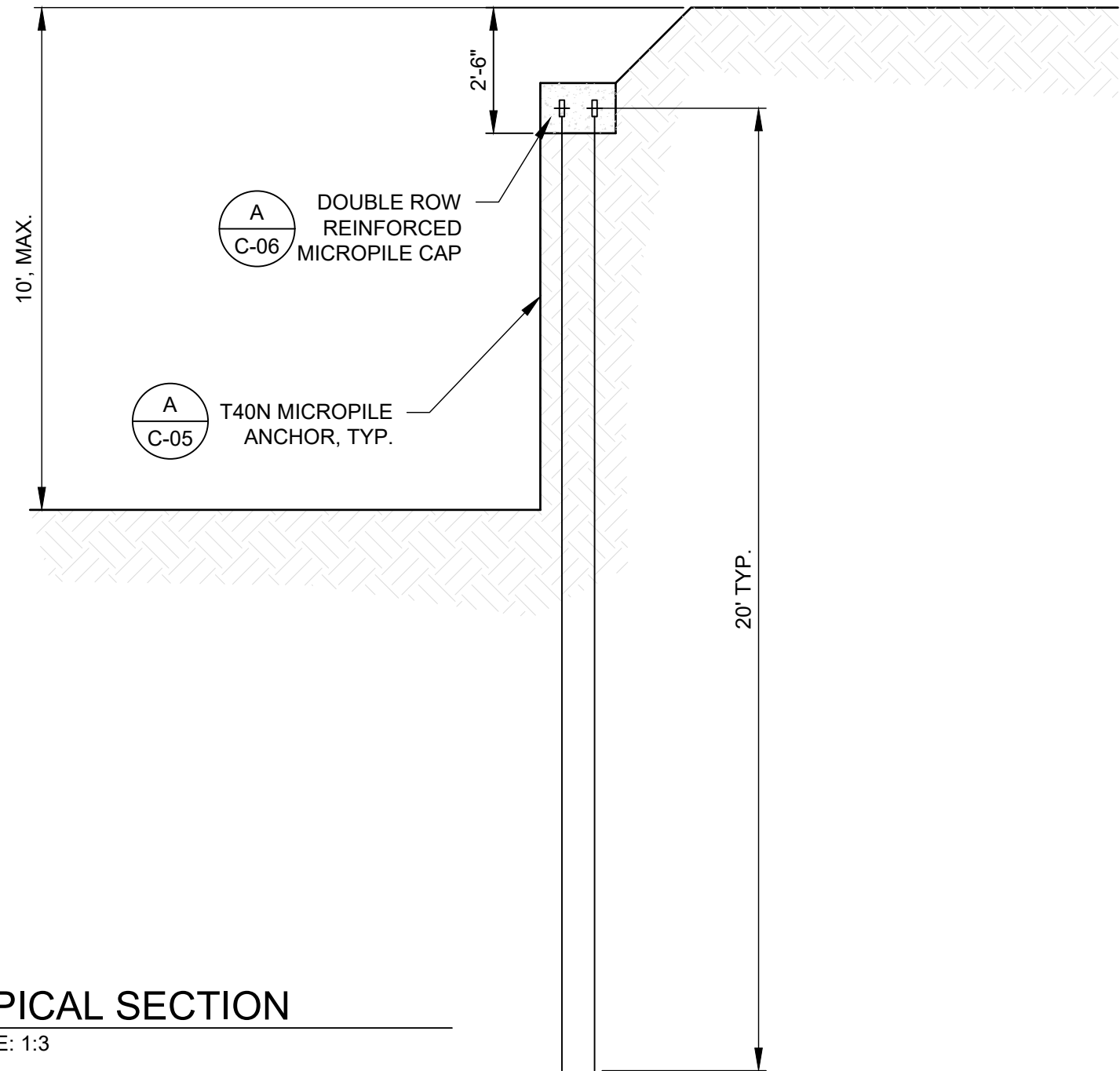
PROJECT NAME: <i>DW580 TEMPORARY SHORING</i>				
SHEET TITLE: <i>SITE PLAN</i>				
DRAWN BY: NFD	CHECKED BY: DEB	DATE: 07/13/21	PROJECT NUMBER: 210066WY01	SHEET C-03



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A TYPICAL SECTION
SCALE: 1:3

AB

SHEET REVISIONS		
DATE	DESCRIPTION	NO
03/11/21	ISSUED FOR REVIEW	IFR
03/12/21	ISSUED FOR CONSTRUCTION	IFC
03/15/21	FIELD UPDATES TO SHORING LOCATIONS	REV1
03/24/21	AS-BUILT (PHASE I)	AB
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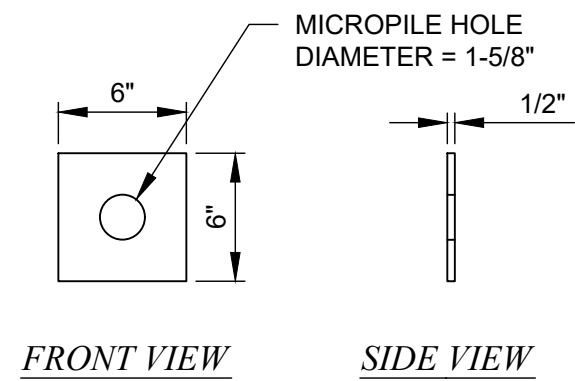
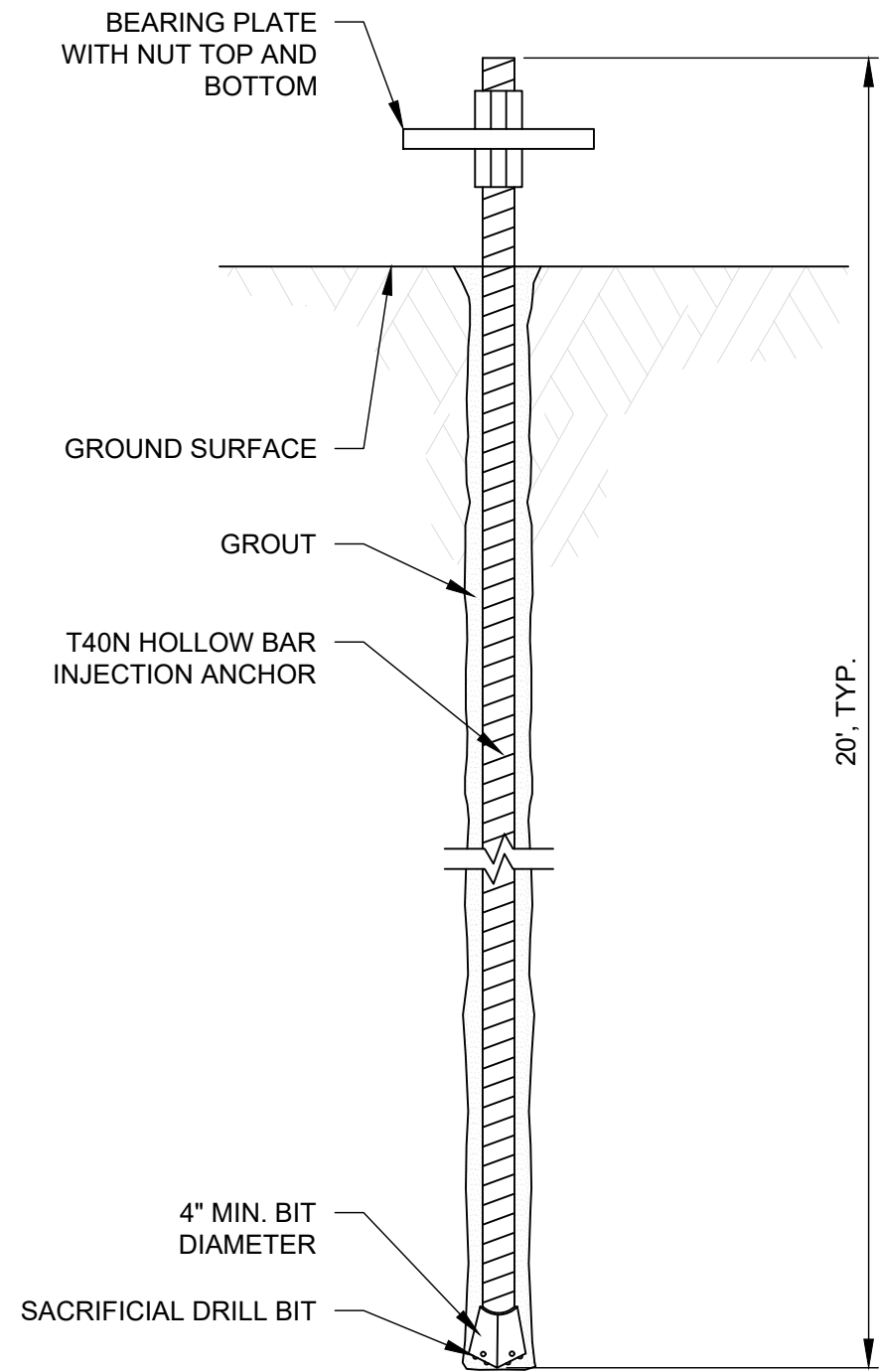
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SHEET TITLE: <i>SECTION VIEW</i>				
DRAWN BY: NFD	CHECKED BY: DEB	DATE: 07/13/21	PROJECT NUMBER: 210066WY01	SHEET C-04



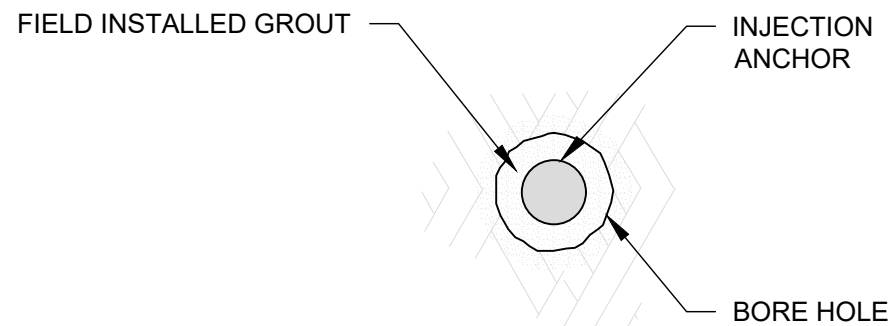
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BEARING PLATE



MICROPILE SECTION

A MICROPILE DETAIL
N.T.S.

AB

SHEET REVISIONS		
DATE	DESCRIPTION	NO
03/11/21	ISSUED FOR REVIEW	IFR
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03/15/21	FIELD UPDATES TO SHORING LOCATIONS	REV1
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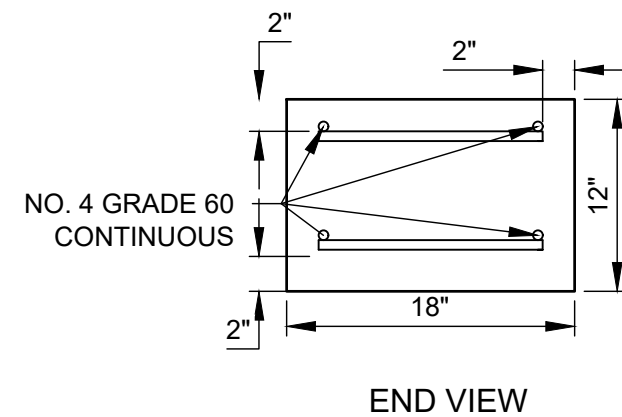
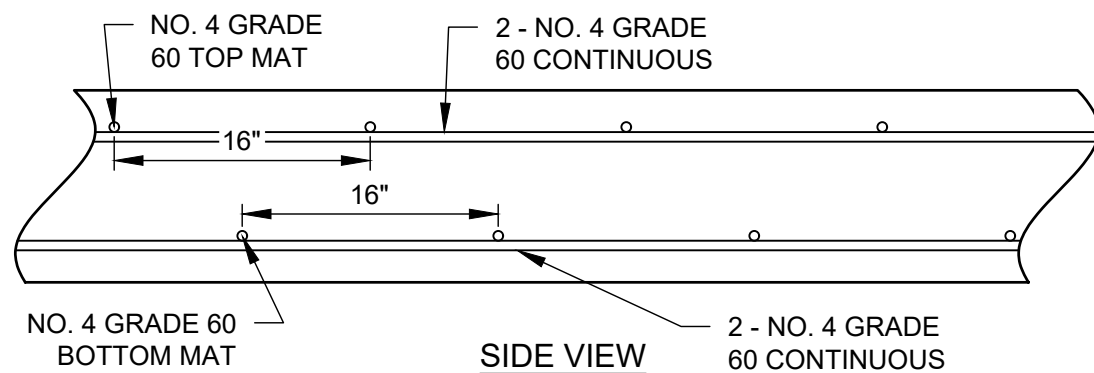
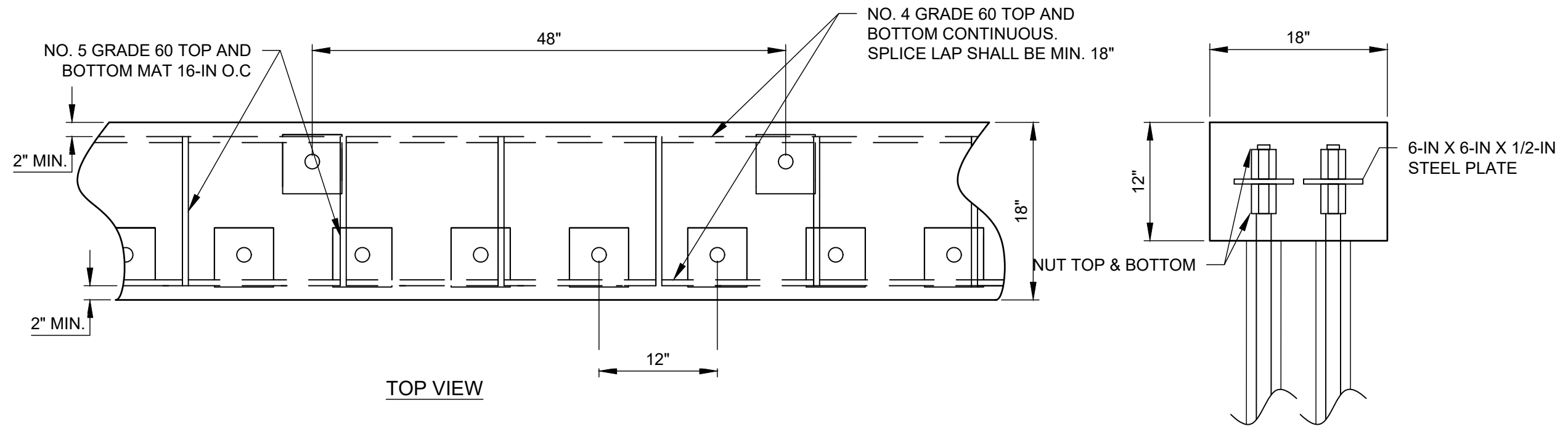
PROJECT NAME: DW580 TEMPORARY SHORING				
SHEET TITLE: MICROPILE DETAILS				
DRAWN BY: NFD	CHECKED BY: DEB	DATE: 07/13/21	PROJECT NUMBER: 210066WY01	SHEET C-05



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EXHIBIT A TO
ENCROACHMENT AGREEMENT



A MICROPILE CAP DETAIL
N.T.S.

AB

SHEET REVISIONS			PROJECT NAME: DW580 TEMPORARY SHORING				
DATE	DESCRIPTION	NO					
03/11/21	ISSUED FOR REVIEW	IFR	SHEET TITLE: MICROPILE CAP DETAILS				
03/12/21	ISSUED FOR CONSTRUCTION	IFC					
03/15/21	FIELD UPDATES TO SHORING LOCATIONS	REV1	DRAWN BY: NFD				
03/24/21	AS-BUILT (PHASE I)	AB					
04/08/21	ADDITIONAL SHORING QUANTITIES	REV2	CHECKED BY: DEB				
07/13/21	AS-BUILT (PHASE II)	AB					
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			PROJECT NUMBER: 210066WY01				
			SHEET C-06				



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NAIL ID	DATE		EMBEDMENT LENGTH (ft)		NAIL ID	DATE		EMBEDMENT LENGTH (ft)		NAIL ID	DATE		EMBEDMENT LENGTH (ft)																																			
	DRILLED	GROUTED	SOIL	ROCK		DRILLED	GROUTED	SOIL	ROCK		DRILLED	GROUTED	SOIL	ROCK																																		
1	03/16/21	03/16/21	18	-	48	03/19/21	03/19/21	18	-	95	03/19/21	03/19/21	18	-																																		
2	03/16/21	03/16/21	18	-	49	03/19/21	03/19/21	18	-																																							
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			DRAWN BY:					Phone: 855.579.0536 Fax: 970.245.7737 www.geostabilization.com						
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JACKSON, WY 83001

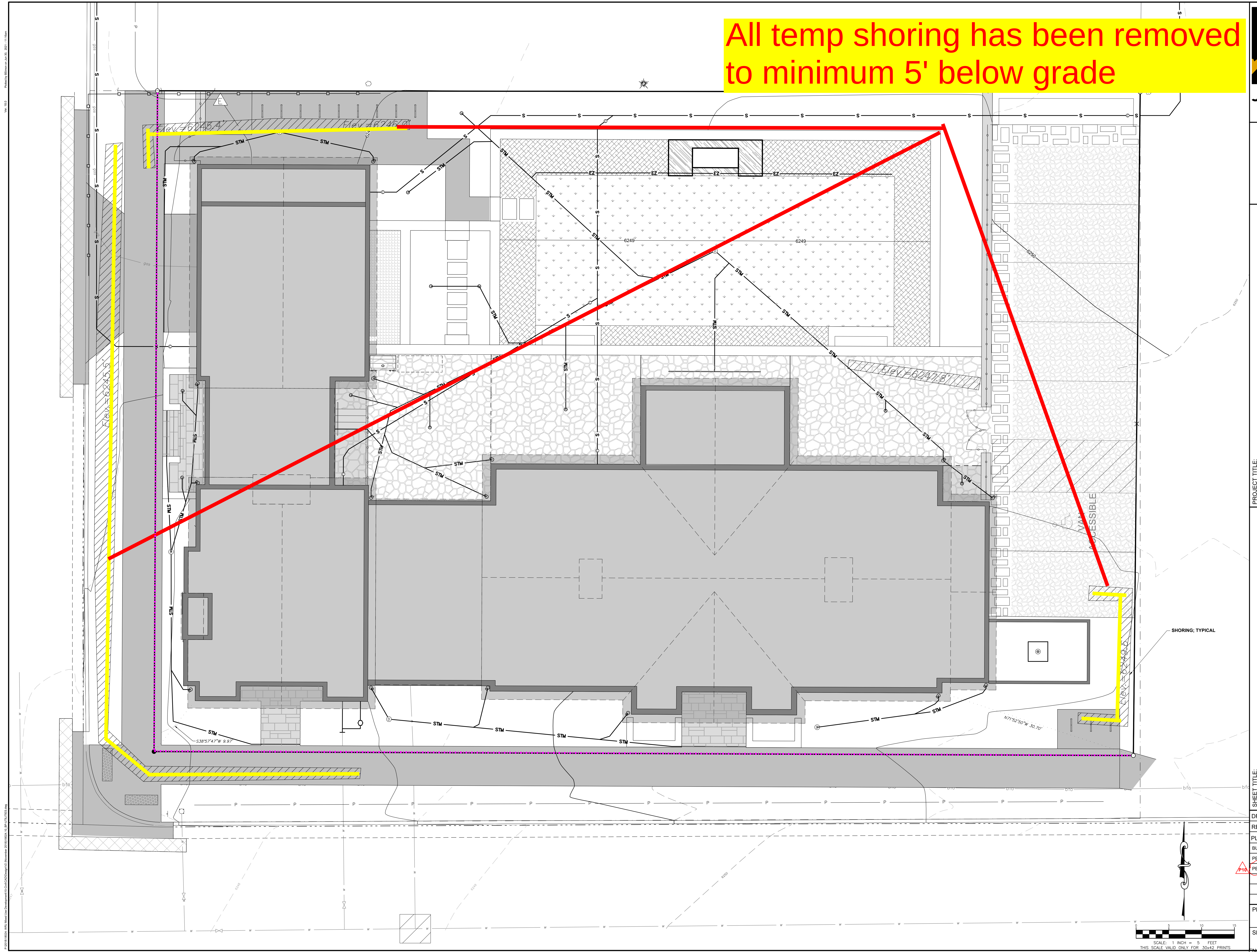
CONSTRUCTION SHORING OVERVIEW

DESIGNED BY:	BS
CHECKED BY:	TK
PLAN VERSION	DATE
BUILDING PERMIT	06.29.2018
PERMIT REV 10	06.03.2021
PERMIT REV 11	06.30.2021

PROJECT NUMBER
18024.10

SHEET
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EXHIBIT A TO
COACHMENT AGREEMENT



STAFF REPORT



Meeting Date:	18 October 2021	Meeting Title:	Regular
Submitting Department:	Public Works	Presenter:	Brian Lenz, Town Engineer
Agenda Item:	P21-218: Water & Sewer connection request – 10 E Snow King Ave	Public Comment:	Yes

Purpose & Policy Considerations.

The purpose of this item is for Council to consider a new Town water supply and sewer collection and treatment services request for a proposed development.

Requested Action.

Town Council consideration of the applicant's request for Town Water Supply and Sewer Collection and Treatment services.

Recommendations.

Staff recommends approval of the applicant's request for Town water supply and sewer collection and treatment services subject to 1) the proposed conditions of approval and 2) that the proposed conditions of approval, along with other necessary contract issues, are set forth in a Water Service Connection and Use Agreement and a Sewer Service Connection and Use Agreement, which will be subject to Council consideration at a future meeting.

Background.

PURPOSE AND APPLICABILITY

The application presented is a request for Town water and sewer services and to establish the conditions for allowing the connections. The proposed development is located outside of the Town's corporate limits AND not within an existing contracted water or sewer service area, therefore, this additional water and sewer flow was not included in the 2020 Capacity Study.

The request for services is the first step in a three-step Town process for all properties outside the Town boundaries and outside an existing contracted service area to connect to Town services. If Council approves the request, the second step is the execution of a connection and use agreement ("CUA") between the Applicant and Town, and the third step is permitting of the construction and improvements required to connect the Applicant's private systems to the Town's systems. Staff notes that until such time that all three steps in the process have been completed there is no guarantee of connection to Town services. See the TOWN PROCESS FOR WATER AND SEWER SERVICE REQUESTS section below for more detail on the process.

PROPOSED DEVELOPMENT

As presented in its presentation to the Town, part of the new Gondola project Snow King Mountain Resort seeks to construct improvements at the summit outside the corporate limits of the Town including the following new structures that require water and sewer to serve both winter and summer users:

1. Gondola Storage building that includes public restrooms
2. Panorama House
3. Summit Lodge/Restaurant
4. Observatory
5. Fire suppression water supply.

These developments are planned for completion in 2022.

The connections are requested due to the geological conditions Snow King Mountain presents:

- Drilling of a well for a water source is not recommended by local hydrologists and likely not feasible with the bedrock and hauling water to the summit is not a practical solution for the demand expected.
- Placement of an appropriately sized septic system on the mountain with complex geology beneath would be difficult to prevent environmental and water quality degradation.

Historically, the summit has not been connected to any water and sewer facilities.

In 2014 a potable water line was installed to serve these facilities as part of a WY Business Council Grant and Loan project for future summit development.

The Town owns some snow making water lines on Snow King Mountain due to a prior project funded by the State Land & Investments Board. The new sections of the on-site water system and the entire on-site sewer system would be privately owned by Snow King Mountain Resort and will not be owned, operated, or maintained by the Town.

TOWN PROCESS FOR SEWER SERVICE REQUESTS

For all developments that request connection to Town water and sewer services and are outside the Town corporate limits and outside existing contracted service areas, the Town applies the following process.

Step 1: Request for Service

A Miscellaneous Planning Application is filed by an applicant to request Town service(s). Staff review of this application is used by Town Council to make an initial determination on whether to provide services or not. This initial step is based upon preliminary information provided by the applicant and includes staff identifying the conditions of approval that will be further defined in a CUA. The Applicant is currently proceeding through Step 1. If Council approves the request for services, the Applicant will advance to Step 2.

Step 2: Connection and Use Agreements

Staff works with the Applicant to draft CUA(s) that include the conditions of approval identified during Step 1 and other necessary contract terms. If approved by Council and the Applicant, the CUA(s) will be executed and recorded against the property.

Step 3: Permits to Construct

Prior to construction of any infrastructure connecting to the Town's systems, all fees must be paid and permits for the construction of said infrastructure must be issued by the Town.

Analysis.

WATER AND SEWER SYSTEMS EVALUATION REPORT (CAPACITY REPORT)

This proposed development was not included in the 2020-2021 Capacity Study and will have impacts on the Town's water and sewer systems that were not considered.

WATER SUPPLY

The Town currently supplies water to the Snow King Mountain Resort's properties within Town and all of the water for snow making. The Applicant requests additional domestic water flows to supply proposed facilities at the summit of the gondola. The quantity/demand for fire protection storage and supply has not yet been determined but will be included in the CUA if Council approves this connection request.

SEWER COLLECTION AND TREATMENT

The Town currently collects sewage from the Snow King Mountain Resort's properties within Town. The request for development at the summit is interdependent with the base and area operations and will serve customers at the summit

as well as at the base. The proposed wastewater conveyance design will include a grinder system to break up solid material in the sewage to facilitate steep slopes downhill and grease traps will be installed at all restaurant operations.

Water Line Infrastructure Upgrade Needs

Completing the water supply to the new summit facilities is expected to be constructed in 2022. The improvements would entail a new private booster station near the Rafferty mid-station that would pump water through the existing but dormant water line that has already been installed to the summit. At the summit, water storage and fire supply facilities would also be constructed.

Because this area was not considered in the modeling during the recent Capacity Study, the Applicant will be responsible for modeling the impacts the connection would have on facilities upstream and downstream of the connection and paying for any and all necessary upgrades required by the connection. Should Council approve this request for water service, the Town will work with the Applicant to evaluate and determine any necessary improvements to the Town's water system.

Sewer Line Infrastructure (Collection) Upgrade Needs

A sewer line is proposed to be installed in 2022. The line would be routed straight up the mountain along the path of the gondola and will require an easement from the Town across the Town's Mountain Tract.

Because this area was not considered in the modeling during the recent Capacity Study, the Applicant will be responsible for modeling the impacts the new sewer line connection would have on facilities downstream of the connection and paying for any and all necessary upgrades required by the connection. Should Council approve this request for sewer service, the Town will work with the Applicant to evaluate and determine any necessary improvements to the Town's sewer and treatment systems. The sewer service will connect to the Town's sewer collection system in the Snow King ballpark parking lot.

Wastewater Treatment Plant Overall Capacity

The Town's Wastewater Treatment Plant ("Plant") currently has capacity to accept the additional sewage from this development as presented in the application. While the addition of this development as a new contracted service area will not significantly reduce the amount of time remaining before treatment plant upgrades would be required, it will still reduce that amount of time.

CONSIDERATIONS

Staff has considered the following factors in recommending approval of the connection request:

A. Existing Versus New Development

The proposed connections are for new development on the Snow King Mountain summit that is outside the town but is interdependent and supports existing development within the Town at the base area. Town currently provides the Snow King Mountain resorts base area facilities as well as water for their snow making operations.

B. Expanded Service Area and Capacity Timeline

This request is from outside the Capacity Study area and will reduce the future capacity timeline for the sewer treatment plant and other necessary water and sewer upgrades. The potential service area could reduce the capacity timeline for the sewer treatment plant by less than a year based on current capacity modeling. The full impacts to the Town's systems would be realized once connected and proposed structures and associated facilities are in use.

C. Zoning and Development are Consistent with Comprehensive Plan

The new development lies within the county and on United States Forest Service property and is not subject to the formal county development process. The project has been reviewed extensively by the Town as part of the Snow King Mountain Resort Master Plan within the Town, including the partnership with the Town to lease the base area for the new gondola base.

D. Deed Restricted And/or Workforce Housing

There are no existing or proposed deed restricted or workforce housing units included in the application service area.

E. Potential For Reduced Environmental Impact

Connection to the Town's water supply minimizes the potential for supply conflicts with competing supply wells. Connecting to the Town's sewer system eliminates a private on-site system from being constructed thus eliminating a potential source of ground water contamination from the community.

F. Geographical Location

The development is located at the summit of Snow King Mountain and is adjacent to Town and proximate to Town water and sewer services. The proposed new development is integral to the development of the new gondola and resort facilities that originate from within the Town's limits.

G. Costs To Upgrade and Impacted User Classes

The proposed connection costs of improvements and upgrades will be borne by the applicant and at no cost to the current rate payers. The new water and sewer improvements will be designed, constructed, operated, and maintained by the Applicant.

CONDIONS OF APPROVAL

If this request for services is approved by Council at this initial step, staff suggests the following conditions of approval:

Standard Conditions of Approval

- A. If this connection request is approved by Town Council, the Connection and Use Agreements (CUA) for water and sewer services will also require Town Council Approval.
- B. That a Connection and Use Agreement for Water and Sewer Services be executed by the Town Council not more than one year from the date of the motion to approve the request for services.
- C. The infrastructure shall be designed, permitted, constructed, owned, operated, maintained, repaired, replaced, etc. by the Applicant at the Applicant's sole cost, unless otherwise established in the CUA(s).
- D. Applicant shall provide all the required exhibits for the Agreement(s). Exhibits shall be to scale on 8.5"X11" paper in black and white without aerial photographs, or as approved by the Town Engineer. Plan sheets should be scalable at 11"X17". Exhibits include but are not limited to: maps of the proposed service area, plans of the proposed infrastructure, lists of parcels with address and development information, etc.
- E. For existing lots, the Connection and Use Agreement(s) shall be recorded with the Teton County Clerk for ~~each lot approved for connection~~ *at least 10 & 100 E Snow King Avenue*. Applicant is responsible for all Teton County Clerk recording fees
- F. Applicant is required to secure all easements and permissions necessary to complete the infrastructure development.
- G. Applicant is responsible for any required pre-treatment (e.g. grease, odor, nitrates, ammonia, etc.) required to produce an acceptable sewage that does not negatively impact the Town's systems.
- H. Prior to construction of any main infrastructure connecting to the Town's systems, or private extensions thereto, permits for the construction of said infrastructure must be issued by the Town.
- I. Prior to construction of any individual lot connecting a service to the Town's systems, or private extensions thereto, permits for the construction of said infrastructure must be issued by the Town, or as established in the CUA(s).
- J. The applicant will furnish and pay for an Engineer, and in some cases a Resident Project Representative, to represent Engineer at the site and assist Engineer in observing the progress and quality of the work prior to certification after completion.

- K. Prior to issuing permits for construction, applicant must post a financial assurance that complies with Town of Jackson Land Development Regulation 8.2.11 for 125% of the Town Engineer approved cost for the inspection, testing observation, and certification of the system by a licensed Wyoming Engineer.
- L. Prior to the Town Engineer's Final Inspection applicant must provide the Town Engineer record drawings, CAD, and/or GIS files to document "as-built" location and metadata of the improvements as required by the agreement.
- ~~M. Applicant shall agree to annexation by the Town or waive their right to object to annexation as finalized in the Connection and Use Agreement(s). Not applicable for US Forest Service lands.~~
- N. Town may hire a Town-selected qualified engineering consultant to review the proposed reports, modeling, plans, specifications, and the like to objectively determine whether each technical report or document is consistent with Town standards, Wyoming DEQ rules and Regulations, design principles and practices in use at the time of application, and/or modeling updates. Prior to execution of the Connection and Use Agreement(s), the scope and fee for such services will be determined and the applicant must bond for 125% of the fee and pay for all costs of said consultant.
- O. Town may hire a Town-selected qualified engineering consultant to monitor the installation of the improvements. Prior to the issuing of the permit to construct the improvements, the scope and fee for such services will be determined and the applicant must bond for 125% of the fee and pay for all costs of said consultant.
- P. This approval does not relieve the applicant from any duty to obtain any other permit or authorization that may be required by any provision of federal, state, or local codes and ordinances; nor does it permit violation of any section of federal, state, or local codes and ordinances.

Request-Specific Conditions of Approval

- 1. Applicant shall obtain an easement from the Town for the sewer service line across the Town owned Mountain Tract.
- 2. Applicant will be responsible for all costs to provide technical studies and evaluations of the upstream and downstream impact on existing water supply system, and downstream impact on existing sewers, lift stations and treatment facilities. This information shall include, but not be limited to, existing population, waste loads, and existing and future flows and capacity of downstream facilities.
- 3. Applicant shall be responsible for all costs to design, permit, and construct upgrades determined necessary within the Town's systems associated with services for the development. Including compensation for the services rendered by the Town.
- 4. Metering for water and sewer volumes shall be as finalized in the Connection and Use Agreement(s).
- 5. Prior to the Town drafting the CUA(s) the Applicant shall be responsible for obtaining, or verifying in writing that all permits, licenses, easements, and agreements for the proposed facilities are obtainable.

Possible Alternatives.

- 1. Approve the request for services subject to conditions of approval, as presented.
- 2. Continue the request for services until after Council sets policy(ies) for connections outside Town and currently contracted service areas.
- 3. Deny the request for services.
- 4. Other.

Comprehensive Plan & Priority Alignment.

This project relates to the Town Comprehensive Plan Common Value #1- Ecosystem Stewardship. Staff has provided the following sections of the Comprehensive Plan for consideration along with this request.

Common Value #1 – Ecosystem Stewardship

- Principle 1.2- Preserve and enhance water and air quality

- Policy 1.2.c: Monitor and maintain water quality – *calls for monitoring cumulative impacts on water quality and the effectiveness of mitigation efforts and strive to exceed State and Federal requirements for quality and monitoring to enhance water quality in the area.*

Fiscal Impact.

One-time capacity fees would be collected prior to connection that would be determined by the fees established in the Municipal Code at the time of application for the permit to construct the connection. The ongoing fiscal impact thereafter are the water and wastewater usage fees paid to the Town. The fee amounts are set forth in Title 13 of the Jackson Municipal Code.

When additional services are connected to the Town's water and sewer systems, there is a cumulative impact to the Town's operation and maintenance costs for the water treatment and distribution system and wastewater collection and treatment system and reductions in the Town systems' remaining capacities.

Staff Impact.

Step 1: Staff time during Step 1 has been approximately 6-10 hours between Public Works, Planning, Legal and Administration staff.

Step 2: Drafting and Consideration of Connection and Use Agreements for Water and Sewer Services will each have the following impacts.

- CUA Water and Sewer Drafting: 10-20 Hours for each Administration, Legal, and Public Works, for a total of 30-60 hours.
- CUA Finalization and Staff Reports: 4-6 Hours for each Administration, Legal, and Public Works for a total of 12 to 18 hours.

Step 3: Connection Permits for a system can take 8-24 hours and each individual connection and additional 4-8 hours.

In addition, staff notes that when additional services are connected to the Town's systems, there is a cumulative impact to the Town's operation and maintenance personnel for the water system and wastewater collection and treatment systems.

Furthermore, staff notes that these requests for service outside the corporate limits of the Town are time intensive, including significant time to review, draft, execute and administer the CUA.

The impact to the Town of providing water and wastewater service to the Applicant at this time is minimal but contributes to the cumulative impact to Public Works staff who maintain the water and sewer systems, the Finance Department that handles the billing, and to the Wastewater Treatment Plant capacity as the Town continues to connect more customers both within and outside of Town limits.

Attachments or Links.

Applicant's application and supporting documents.

Suggested Motion. *Council always has the option to adopt, approve with conditions, continue, or deny items.*

I move to 1) approve the Snow King Mountain Resort, LLC request for water supply and sewer collection and treatment services subject to the conditions of approval set forth in this staff report and 2) direct staff to draft a Water and Sewer Service Connection and Use Agreement for Snow King Mountain Resort, LLC and present the Agreement to Council for consideration at a future Council Meeting.



TOWN OF JACKSON PLANNING & BUILDING DEPARTMENT

TRANSMITTAL MEMO

Town of Jackson

- ☒ Public Works/Engineering
- ☐ Building
- ☐ Title Company
- ☒ Town Attorney
- ☐ Police

Joint Town/County

- ☐ Parks and Recreation
- ☐ Pathways
- ☐ Housing Department

Teton County

- ☐ Planning Division

- ☐ Engineer
- ☐ Surveyor- Nelson
- ☐ Assessor
- ☐ Clerk and Recorder
- ☐ Road and Levee

State of Wyoming

- ☐ Teton Conservation
- ☐ WYDOT
- ☐ TC School District #1
- ☐ Game and Fish
- ☐ DEQ

Federal Agencies

- ☐ Army Corp of Engineers

Utility Providers

- ☐ Qwest
- ☐ Lower Valley Energy
- ☐ Bresnan Communications

Special Districts

- ☐ START
- ☐ Jackson Hole Fire/EMS
- ☐ Irrigation Company

Date: August 10, 2021	REQUESTS: The applicant is submitting a request for a Sewer Connect located at 10 E Snow King Ave., legally known as PT NW1/4SW1/4, SEC. 34, TWP. 41, RNG. 116 TRACT B PIDN: 22-41-16-34-3-00-003 For questions, please call Brian Lenz 733-0440 x1410 or email to the address shown below. Thank you.
Item #: P21-218	
Planner: Tyler Valentine	
Phone: 733-0440 ext. 1305	
Email: tvalentine@jacksonwy.gov	
Owner: Snow King Mountain Resort Ryan Stanley PO Box 1846 Jackson, WY 83001	
Applicant: same	
Please respond by: August 31, 2021 (with Comments)	

RESPONSE: For Departments not using Trak-it, please send responses via email to:
btlenz@jacksonwy.gov

NELSON ENGINEERING

since 1964

Professional Engineers & Land Surveyors

JACKSON, WY • BUFFALO, WY

WWW.NELSONENGINEERING.NET

Town of Jackson Planning Department

150 E. Pearl Avenue

Jackson, WY 83001

Date: 08/09/21

Project No: 19-262-01

ATTENTION: Paul Anthony, Planning Director

RE: Snow King Mountain Resort

TOJ Water and Sewer Connection Request

LADIES/GENTLEMEN: ☒ Attached ☐ Under separate cover via _____ the following items:

WE ARE SENDING

YOU

☐ Shop Drawings

☐ Prints

☒ Plans

☐ Samples

☐ Specifications

☒ Copy of Letter

☐ Change Order

☒ Other

COPIES	DATE	NO.	DESCRIPTION
1	08/09/21	5	Planning Permit App. for Water and Sewer Connection with Deed
1	08/09/21	6	Checklist and Response
1	08/09/21	7	Engineer's Design Report
1	08/09/21	4	Relevant Drawings

THESE ARE TRANSMITTED as checked below:

☒ For approval

☐ Approved as submitted

☐ Resubmit ____ copies for approval

☐ For your use

☐ Approved as noted

☐ Submit ____ copies for distribution

☐ As requested

☐ Returned for corrections

☐ Return ____ corrected prints

☐ For review & comment

☐ FOR BIDS DUE _____, 20

☐ PRINTS RETURNED AFTER LOAN TO US

REMARKS: Please contact Dave Dufault at Nelson Engineering with any questions.

Thanks,

COPY TO: Via Email: Brian Lenz

SIGNED: Suzanne Lagerman



PLANNING PERMIT APPLICATION
Planning & Building Department

150 E Pearl Ave. | ph: (307) 733-0440
P.O. Box 1687 | www.townofjackson.com
Jackson, WY 83001

For Office Use Only

Fees Paid _____ Date & Time Received _____
Application #s _____

Please note: Applications received after 3 PM will be processed the next business day.

PROJECT.

Name/Description: ToJ Water and Sewer System Connection for Snow King Summit Improvements
Physical Address: 10 E Snow King Avenue
Lot, Subdivision: _____ PIDN: 22-41-16-34-3-00-003

PROPERTY OWNER.

Name: Snow King Mountain Resort LLC, Attn: Ryan Stanley Phone: 307-734-3351
Mailing Address: PO Box 1846, Jackson, WY ZIP: 83001
E-mail: ryan@snowkingmountain.com

APPLICANT/AGENT.

Name: _____ Phone: _____
Mailing Address: _____ ZIP: _____
E-mail: _____

DESIGNATED PRIMARY CONTACT.

☒ Property Owner ☐ Applicant/Agent

TYPE OF APPLICATION. Please check all that apply; review the type of application at www.townofjackson/200/Planning

Use Permit

☐ Basic Use
☐ Conditional Use
☐ Special Use

Relief from the LDRs

☐ Administrative Adjustment
☐ Variance
☐ Beneficial Use Determination
☐ Appeal of an Admin. Decision

Physical Development

☐ Sketch Plan
☐ Development Plan
☐ Design Review

Subdivision/Development Option

☐ Subdivision Plat
☐ Boundary Adjustment (replat)
☐ Boundary Adjustment (no plat)
☐ Development Option Plan

Interpretations

☐ Formal Interpretation
☐ Zoning Compliance Verification

Amendments to the LDRs

☐ LDR Text Amendment
☐ Map Amendment

Miscellaneous

☒ Other: water/sewer connect
☐ Environmental Analysis

PRE-SUBMITTAL STEPS. To see if pre-submittal steps apply to you, go to www.townofjackson.com/200/Planning and select the relevant application type for requirements. Please submit all required pre-submittal steps with application.

Pre-application Conference #: _____ Environmental Analysis #: _____
Original Permit #: _____ Date of Neighborhood Meeting: _____

SUBMITTAL REQUIREMENTS. Please ensure all submittal requirements are included. The Planning Department will not hold or process incomplete applications. Partial or incomplete applications will be returned to the applicant. Go to www.townofjackson.com/200/Planning and select the relevant application type for submittal requirements.

Have you attached the following?

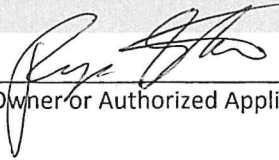
☒ **Application Fee.** Fees are cumulative. Go to www.townofjackson.com/200/Planning and select the relevant application type for the fees.

☐ **Notarized Letter of Authorization.** A notarized letter of consent from the landowner is required if the applicant is not the owner, or if an agent is applying on behalf of the landowner. Please see the Letter of Authorization template at <http://www.townofjackson.com/DocumentCenter/View/845/LetterOfAuthorization-PDF>.

☒ **Response to Submittal Requirements.** The submittal requirements can be found on the TOJ website for the specific application. If a pre-application conference is required, the submittal requirements will be provided to applicant at the conference. The submittal requirements are at www.townofjackson.com/200/Planning under the relevant application type.

Note: Information provided by the applicant or other review agencies during the planning process may identify other requirements that were not evident at the time of application submittal or a Pre-Application Conference, if held. Staff may request additional materials during review as needed to determine compliance with the LDRs.

Under penalty of perjury, I hereby certify that I have read this application and associated checklists and state that, to the best of my knowledge, all information submitted in this request is true and correct. I agree to comply with all county and state laws relating to the subject matter of this application, and hereby authorize representatives of Teton County to enter upon the above-mentioned property during normal business hours, after making a reasonable effort to contact the owner/applicant prior to entering.



Signature of Property Owner or Authorized Applicant/Agent
Ryan Stanley

Name Printed

July 21, 2021

Date
President

Title

RELEASED	
INDEXED	
ABSTRACTED	
SCANNED	

WARRANTY DEED

Snow King Holdings, LLC, a Wyoming limited liability company, GRANTOR, of Teton County, State of Wyoming, for and in consideration of TEN DOLLARS (\$10.00) and other good and valuable consideration, in hand paid, receipt of which is hereby acknowledged, CONVEYS AND WARRANTS to Snow King Mountain Resort, LLC, a Wyoming limited liability company, GRANTEE, whose mailing address is P.O. Box 1846, Jackson, Wyoming, 83001, the following described real estate, situated in the County of Teton, State of Wyoming, hereby waiving and releasing all rights under and by virtue of the homestead exemption laws of the State of Wyoming, to-wit:

See Exhibit "A" attached hereto and by this reference made a part hereof.

State Parcel ID No.: 22-41-16-34-3-00-003

Together with and including all oil, gas, and other minerals and mineral rights appurtenant thereto and owned by Grantor, if any, and all improvements and all other appurtenances and hereditaments thereunto belonging; subject to general taxes for the year of closing, local improvement districts, guaranteed revenues to utility companies, building and zoning regulations, city, county and state subdivision and zoning laws, easements, restrictive covenants, and reservations of record.

WITNESS our hands this 27 day of NOVEMBER, 2017.

GRANTOR: SNOW KING HOLDINGS LLC
 GRANTEE: SNOW KING MOUNTAIN RESORT LLC
 Doc 0940086 Filed At 14:53 ON 11/28/17
 Sherry L. Daigle Teton County Clerk fees: 18.00
 By Mary D Antrobus Deputy

Snow King Holdings LLC, a
 Wyoming limited liability company

By: Max C. Chapman, Jr.
 Max C. Chapman, Jr.
 Manager

STATE OF WYOMING)
) ss
 COUNTY OF TETON)

The foregoing instrument was acknowledged before me by Max C. Chapman Jr., who is personally known to me or has established his identity and authority to me by reasonable proof, as Manager of Snow King Holdings, LLC, a Wyoming limited liability company, this 27 day of November, 2017.

Witness my hand and official seal.



[Signature]
 Notary Public

February 13, 2021

EXHIBIT A

LEGAL DESCRIPTION
FOR
TRACT B, EXCEPTING
PINE LODGE ADDITION

A Parcel of land located in the NW1/4 SW1/4, Section 34, Township 41 North, Range 116 West, 6TH PM, Town of Jackson, Teton County, Wyoming, said Parcel of Land being all of Tract B of that Map to Accompany Lot Division Application recorded as Map T-71B in the Office of the Clerk of Teton County, **EXCEPTING THEREFROM** the Pine Lodge Addition to the Town of Jackson, recorded as Plat No. 1257 in the Office of the Clerk of Teton County, said Parcel being more particularly described as follows:

Beginning at a Point on the northerly boundary line of said Tract B, Record Map T-71B, said Point of Beginning also being the northeast corner of Lot 1, of said Pine Lodge Addition, Plat 1257 and being N89°54'18"E, 145.07 feet, from the ¼ Corner common to Sections 33 and 34 of said Township 41 North, Range 116 West;

Thence along the northerly boundary of said Tract B, N89°54'18"E, 409.06 feet, to the northwest corner of Tract A of said Record Map T-71B;

Thence along the westerly boundary of said Tract A as follows:

S0°45'37"W, 37.21 feet;
Thence S89°08'12"E, 35.13 feet;
Thence S1°36'36"W, 26.18 feet;
Thence S89°01'27"E, 16.06 feet;
Thence S0°46'07"W, 90.01 feet;
Thence N88°57'07"W, 14.01 feet;
Thence S0°58'04"W, 120.04 feet, to the southwest corner of said Tract A;

Thence along the southerly boundary of said Tract A, S89°02'41"E, 206.99 feet, to the southeast corner of said Tract A;

Thence along the easterly boundary of said Tract B, S0°18'16"E, 147.86 feet, to the southeast corner of said Tract B;

Thence along the southerly boundary of said Tract B, N89°50'34"E, 682.90 feet, to the southeast corner of Lot 2 of said Pine Lodge Addition, Plat No. 1257;

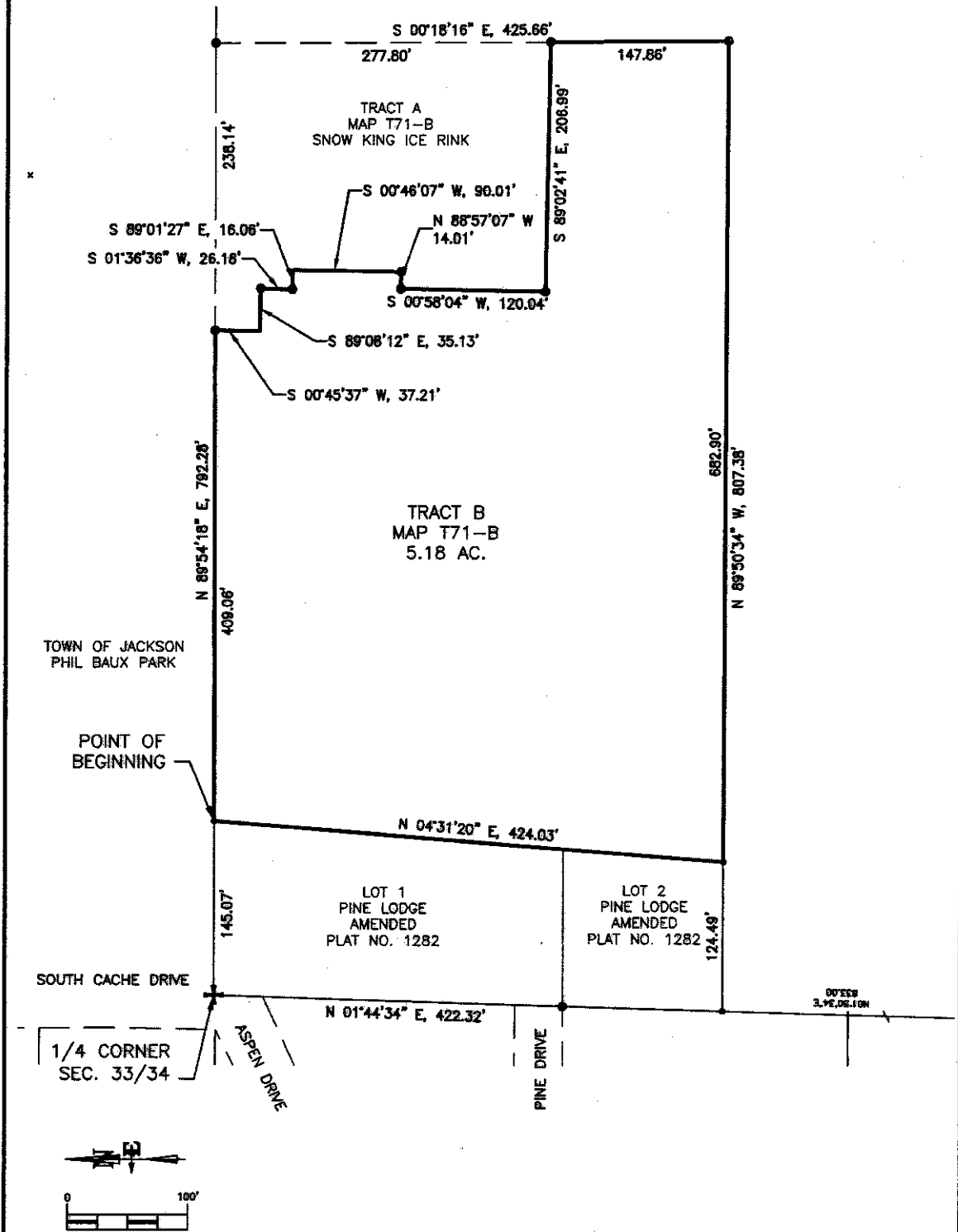
Thence along the easterly boundary of said Pine Lodge Addition, N4°31'20"E, 424.03 feet, more or less, to the Point of Beginning.

As shown on Exhibit B, attached hereto and by this reference made a part hereof.

Said parcel contains 5.18 acres, more or less, and is subject to any easements, rights-of-way, reservations or restrictions of sight and/or of record.

Michael Quinn
Wyoming PLS 4270
Nelson Engineering
Project 17-126-01

EXHIBIT B



DRAWING NO 1	DRAWING TITLE EXHIBIT B	NELSON ENGINEERING P.O. BOX 1599, JACKSON WYOMING (307) 733-2087	DATE 6/11/2017
JOB NO 17-248-01			ENGINEERED MR
			DRAWN BK
			CHECKED
			APPROVED



**Checklist for an
APPLICATION FOR A CONNECTION AND USE
AGREEMENT FOR WATER AND SEWER SERVICES**
Planning & Building Department
Planning Division

150 East Pearl Ave. | ph: (307) 733-0440
P.O. Box 1687 | fax: (307) 734-3563
Jackson, WY 83001 | www.townofjackson.com

APPLICABILITY. *This checklist should be used when applying to the Town of Jackson for consideration of connection to Town Sewer, Water and/or Stormwater infrastructure, or a private extension thereto, through a Connection and Use Agreement for a development, service district, or property outside of the Town's corporate boundary AND not within an existing approved service area.*

When is an APPLICATION FOR A CONNECTION AND USE AGREEMENT FOR WATER AND SEWER SERVICES required?

An application to connect and, if approved, the resulting Connection and Use Agreement, are required prior to a development, service district, property, or any individual property within a development or service area, applying for a Town of Jackson / Teton County Sewer and Water Connection permit. *For more detailed information on the process see the PROCESS section of this checklist.*

INSTRUCTIONS. *Use this checklist to provide the information required for review of an application. All items on this checklist should be shown or noted in the application or on the plans, including not applicable items.*

☐ DESCRIPTION
Submit all materials with a Planning Application to the Planning Division, select the <i>Miscellaneous</i> option.
Town of Jackson Letter of Authorization if applicant is other than the owner.
ENGINEER'S REPORT: • All materials shall be prepared and sealed by a licensed Wyoming engineer with experience designing municipal water and/or sewer infrastructure. • A brief narrative of the proposed project and request of the Town. • Reason for requesting the connection(s). e.g. permit compliance, existing system failure, high ground water, proximity to surface water, geological conditions, etc. • Alternatives, if any, considered for sewage collection and treatment and/or water supply. Include any reasons for not pursuing the alternatives or whether the alternative is still being proposed. • Proposed schedule for the project. • Provide a statement regarding who will pay the costs of design, permitting, construction, operation, maintenance, regulatory compliance, repair, and replacement of the system. • Identify the entity that will own the system(s) and be legally responsible for the system(s), i.e. the party that would execute a Connection and Use Agreement with the Town. ○ If applicable, identify the certified operator that will operate the proposed system(s). • Provide information regarding how customers that are delinquent on paying for services will be handled, e.g. water shutoffs. • Provide information regarding the proposed method of metering. • WATER AND SEWER ○ Estimated Water Demands ▪ AWWA M22, actual flows, or other approved methodology ○ Estimated Sewer Volumes ▪ AWWA M22, actual volumes, Wyoming DEQ, Other approved methodology. ○ For estimated demands use the most conservative sewer volumes and/or water demands for the potential service area based on maximum allowed development for the service area at build out. For example, if there are 20 existing hotel rooms but 40 are allowed by development regulations, use 40 rooms for the

	estimate. ▪ Include estimated volumes and demands from the adjacent properties within 500 feet of the proposed system. ▪ Provide the information separated into the proposed service area and potential future service areas, include a table by parcel for individually metered lots, e.g. lots that connect via an unmetered gravity system. • Sewage Characteristics: ○ For proposed development provide information regarding the anticipated wastewater strengths e.g. Biochemical Oxygen Demand (BOD) and Total Suspended Solids (TSS); types of use e.g. residential, brewery, industrial, commercial, lodging; and any other expected characteristics. ○ For existing developments provide a summary of any existing wastewater strength or quality monitoring data.
	PLANS AND MAPS: • Map of the Proposed Service Area. ○ Show all properties intended to be served by the proposed system and requested connection. ○ Show all properties within 500 feet of the proposed infrastructure, regardless of whether or not the property intends to connect to the private system at this time. • Water and/or Sewer Plans showing the proposed systems, sizes, and points of connection. • Existing utilities. • Easements: Existing or proposed required for the system and connection. • Parcel Information: existing, proposed, future boundaries. Provide parcel id, street address, and ownership information. • Vicinity Map • Scaled drawings with north arrows. • Any other relevant information.
	PERMITTING: • Provide a list of all applicable local, state, and federal permits required to complete the project and indicate whether they were issued, waived, denied, or pending. ○ Teton County, Wyoming Department of Environmental Quality, Wyoming Department of Transportation, Army Corps of Engineers, private properties, etc. • For an existing system, provide a list of any existing local, state, and federal permits and indicate if the permit is in good standing, under review, citations, fines, or otherwise pertaining to the permit.
	PRIVATE PROPERTIES AND SYSTEMS: • Provide a list of all private properties that are impacted by the project and any required easements, approvals, land acquisitions, etc. and indicate the status of each. • Provide a list of all private systems required to make the connection and indicate the status of each. Include any and willingness to serve letters, approved permit, etc.

REQUEST TO CONNECT AND CONNECTION AND USE AGREEMENT PROCESS. *This summary is general and each application may vary depending on the circumstance.*

	REQUEST TO CONNECT: ○ Apply to connect using the Planning Application – Miscellaneous Option and this checklist. ○ Staff Review of Application for a Connection and Use Agreement for Water and Sewer Services. ○ Council Review: Request for connection will be presented and reviewed by Council at a regularly scheduled council meeting.
	CONNECTION AND USE AGREEMENT: ○ If Council approves the Request to Connect, Town staff will prepare the Connection and Use Agreement(s) and incorporate any conditions of approval as part of the application. Each utility will be covered by its own agreement. ○ Applicant will have a chance to review the agreement prior to presenting to Council for approval. ○ Applicant shall be responsible for preparing and paying for all exhibits required for all agreement(s) to the Town's satisfaction. Required exhibits vary by project but typically include a map of the service area, list of parcels within the service area, table of estimated peak demands, conceptual system plans, and / or other relevant information. ○ Council Review: Connection and Use Agreement(s) will be presented for review by Council at a regularly scheduled council meeting. ○ Following Council approval of the Connection and Use Agreement, it will be finalized according to Council approval. ○ Staff will provide the applicant the final agreement(s) for execution. The Mayor will execute the agreement(s) after the applicant. ○ Recordation: The Connection and Use Agreement(s) shall be recorded with the Teton County Clerk against all properties within the approved service area. Applicant shall pay all recording fees.
	CONSTRUCTION: <i>Following execution and recordation of the Connection and Use agreement construction of the proposed connection(s) is permitted as follows:</i> ○ SEWER AND WATER CONNECTION PERMIT (SWP) Application for the system if applicable ○ SEWER AND WATER CONNECTION PERMIT (SWP) Application for the individual properties within the service area.

**Checklist for an
APPLICATION FOR A CONNECTION AND USE AGREEMENT
FOR WATER AND SEWER SERVICES**

PLANNING APPLICATION: Enclosed.

TOWN OF JACKSON LETTER OF AUTHORIZATION: N/A

ENGINEER'S REPORT (attached and elaborated upon below):

Brief narrative of the proposed project and request of the Town:

The Summit sewerline is proposed to serve a Gondola Storage building that also includes public restrooms and ski school and ski patrol rooms; the Panorama House; a Summit Lodge/Restaurant and an Observatory, all to be located at the top of the Summit Gondola at Snow King Mountain Resort. These facilities will serve both winter and summer users. The sewerline is planned to be installed along with a new 10" diameter steel snow making water supply pipeline up the mountain via the "Exhibition" ski run.

In 2014 a potable water line was installed to serve the facilities at the summit of the mountain as part of a Wyoming Business Council Grant and Loan project for future development of the summit of Snow King Mountain. It is anticipated that a pump station will be required adjacent to the existing Snow King Water Tank; connection to both the tank for supply and existing potable waterline for distribution will be made, and a tank, fire pumps, and hydropneumatic tankage will be installed at the summit for domestic supply and fire suppression.

Reason for requesting the connection:

Connection is requested due to the geological conditions. A septic system would be difficult to size based on the various buildings and uses but would presumably be quite large, and siting such a system atop the mountain would be a challenge as well, with the known granite layer beneath. Drilling a well would be equally problematic with the bedrock, and hauling water to the summit is not a practical solution for the demand.

Alternatives, if any, considered for sewage collection and treatment and/or water supply:

As mentioned above, there are really no feasible alternatives.

Proposed schedule for the project:

The snowmaking waterline is to be installed in 2021, if possible, and it is proposed to install the sewerline at the same time for efficiency even though the waste generating facilities may not utilize the sewerline for another year. Water supply to the summit facilities is in the early planning stages and is expected to be ready for construction in 2022.

Ownership and Operation:

SKMR will pay the costs of design, permitting, construction, operation, maintenance, regulatory compliance, repair, and replacement of the water and sewer systems. SKMR will own the system up to the point of connection and be legally responsible for the system and will execute a Connection and Use Agreement with the Town. SKMR personnel will operate the proposed systems up to the point of connection.

Provide information regarding how customers that are delinquent on paying for services will be handled:

N/A

Provide information regarding the proposed method of metering:

Appropriately sized meter(s) can be installed to meet the Town's requirements.

WATER AND SEWER:

Estimated Water Demands and Sewer Volumes:

The sewer volumes are presented in the attached Basis of Design Report. Domestic water flows will equal that of the sewer. The quantity/demand for fire protection stored and supplied has not yet been determined.

Sewage Characteristics (Provide information regarding the anticipated wastewater strengths):

Anticipated BOD and TSS are less than 250mg/L; types of use will be a combination of residential, commercial and lodging. The proposed design will include a duplex sewage grinder system to macerate the solids so that they can be carried down the steep slopes in the wastewater stream. Grease traps will be installed at any/all restaurant operations.

For existing developments provide a summary of any existing wastewater strength or quality monitoring data:
N/A

PLANS AND MAPS:

Map of the Proposed Service Area:
Attached.

Show all properties intended to be served by the proposed system and requested connection:
Shown on attached.

Show all properties within 500 feet of the proposed infrastructure, regardless of whether or not the property intends to connect to the private system at this time:
N/A, no possible connections within 500 feet of the proposed infrastructure.

Water and/or Sewer Plans showing the proposed systems, sizes, and points of connection:
Shown on attached.

Existing utilities:
Shown on attached.

Easements (existing or proposed required for the system and connection):
Shown on attached.

Parcel Information (existing, proposed, future boundaries). Provide parcel id, street address, and ownership information.
Shown on attached.

Vicinity Map:
Shown on attached.

Scaled drawings with north arrows:
Attached.

PERMITTING:

Provide a list of all applicable local, state, and federal permits required to complete the project and indicate whether they were issued, waived, denied, or pending (ToJ, Wyoming DEQ, USFS, private properties, etc.):

1. Town of Jackson Grading and Erosion Control Permit: Pending
2. Wyoming DEQ Permit-to-Construct: Pending

For an existing system, provide a list of any existing local, state, and federal permits and indicate if the permit is in good standing, under review, citations, fines, or otherwise pertaining to the permit.

N/A, not an existing system

ADJACENT PRIVATE PROPERTIES AND SYSTEMS:

Provide a list of all private properties that are impacted by the project and any required easements, approvals, land acquisitions, etc. and indicate the status of each:

None

Provide a list of all private systems required to make the connection and indicate the status of each. Include any and willingness to serve letters, approved permit, etc.

N/A

NE Proj No. 19-262-01
Snow King 2021 Improvements Project

Summit Sewerline Basis of Design Report

PROJECT DESCRIPTION

The Summit Sewerline will eventually serve a Gondola Storage building that also includes public restrooms and ski school and ski patrol rooms; the Panorama House; a Summit Lodge/Restaurant and potentially an Observatory, all to be located at the top of the Summit Gondola at Snow King Mountain Resort. These facilities will serve both winter and summer users.

The sewerline is planned to be installed along with a new 10" diameter steel snow making water supply pipeline up the mountain via the "Exhibition" ski run. The snowmaking waterline is to be installed in 2021 and it is proposed to install the sewerline at the same time for efficiency even though the waste generating facilities may not be using the sewerline for another year. A water supply to the summit facilities is in the planning stages and is expected to be ready for construction in 2022.

EXISTING WASTEWATER SYSTEM

There is no existing wastewater system at the summit, but the new facilities will tie into an existing 6" sewer line at the base of the mountain, near the tube park, which is planned for upgrade by the Town of Jackson in the near future to an 8" sewer line. The wastewater ultimately flows to the Town of Jackson's infrastructure and is treated at the Town's Wastewater Treatment Facility.

WASTEWATER GENERATION

Based on the planned improvements there are an estimated 485 sewer fixture units. This equates, based on the International Plumbing Code, to a plumbing fixture typical peak hour wastewater generation of approximately 140 gpm.

Wastewater flow volumes of approximately 10,470 gallons per day on Average Day and approximately 17,450 gpd on the Maximum Day are estimated. Average day may actually be less than stated and will vary significantly based upon the number of users/visitors and the number of special events (such as weddings) that may occur at the summit; estimates include 150 special event guests. These flow volumes are based upon an estimated number of employees, guests, and meals to be served at all facilities to be served as listed above.

Computations of these projected flows are included at the end of this report.

PROPOSED WASTEWATER SYSTEM

The proposed collection system is comprised of a 4" diameter HDPE pipeline that will carry waste from the summit to a new manhole near the base and then into a 6" sewerline which will flow to an existing manhole on the town collection system.

Much of the 4" HDPE sewer will be laid at slopes matching the existing slope of the mountain that vary from 20% to as steep as 75% slope. At the summit, the 4" pipe will be laid at a minimum slope of 5% where it will enter the gondola storage building - all sewage from the various buildings will be brought to this location before discharging into the proposed 4" sewer (following a grinder - see paragraph below). The 4" sewer has full flow capacity of approximately 320 gpm at 5% slope and therefore is more than adequate to carry the estimated peak hours flows of 140 gpm.

The 6" PVC sewer is proposed for 41 feet at 3% slope. Full flow of 6" PVC sewer at 3% is approximately 708 gpm and therefore is more than adequate to carry the estimated peak hour flows. Prior to entering the 6" sewer segment, the wastewater will enter a manhole 2.5 feet above the invert out (at Stat 0+45). It is expected that this drop will slow the swift velocities of the waste stream prior to entering the 6" pipe and prior to entering the Town's collection system downstream. In addition, a Manhole Odor Eliminator is proposed to be used in the manhole at Station 0+45 as it is expected that the discharge will be odiferous.

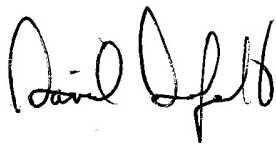
The proposed wastewater system will ultimately include a sewage grinder to macerate the wastewater solids so that they can be carried down the steep slopes in the wastewater stream. The grinder and connections to the proposed facilities are still being planned. It is expected that the grinder will be located within the basement of the gondola storage building.

At this time, only the collection system piping from the summit and connecting to the Town collection system at the base of the mountain is proposed for construction.

WATER SUPPLY

Although there is not currently a domestic water supply to the summit of Snow King, a supply pipe for this purpose was installed in 2014 during the installation of snow making infrastructure. A pump station and extension of the existing water supply piping to the facilities is planned for construction in 2022.

Respectfully submitted,



Dave Dufault, PE
Project Manager
Nelson Engineering
P.O. Box 1599
Jackson, WY 83001

Attachments:

- Peak Hour Flow Rate computations and pipe sizing summary
- Average and Maximum Day volume projections
- Odor Eliminator Cut Sheets

Building	Commercial Plumbing Fixture Type (May drain into the sewer)	Fixture Units per Fixture	Number of Fixtures Installed	Total Fixture Units	Notes
Observatory	Hotel room, office, or retail - bathroom fixtures				400 customers/day (RS), two bathrooms & one kitchenette (FPA)
	Shower stall	4	1	4	
	Sink	2	1	2	
	Toilet	3	1	3	
	Hotel room, office, or retail - kitchen fixtures				
	Sink	3	1	3	
	Commercial, restaurant, or public areas				
	Bathroom sink	2	1	2	
	Toilet	8	1	8	
Ski School/ Gondola Storage	Commercial Plumbing Fixture Type (May drain into the sewer)				
	Hotel room, office, or retail - bathroom fixtures				10 employees (gondola storage/ski patrol), 10 employees (ski school), 150 customers/day, adding some basic kitchen facilities to the ski school building including grease trap, dishwasher, 3 sinks (RS)
	Commercial, restaurant, or public areas				
	Bathroom sink	2	9	18	
	Dishwasher	10	1	10	
	Drinking fountain	1	3	3	
	Ice making machine in freezer or standalone	3	1	3	
	Kitchen sink	4	3	12	
	Service sink	3	1	3	
	Toilet	8	10	80	
	Urinal	8	3	24	
	Other: Gondola Wash Bay	2	10	20	3/4" Hose Connection
Panorama House	Commercial Plumbing Fixture Type (May drain into the sewer)				
	Hotel room, office, or retail - bathroom fixtures				Bar, hand sink, drinking fountain, 1 employee, 20 customers (RS)
	Hotel room, office, or retail - kitchen fixtures				
	Sink	3	1	3	
	Commercial, restaurant, or public areas				
	Drinking fountain	1	1	1	
Lodge/ Restaurant	Commercial Plumbing Fixture Type (May drain into the sewer)				1000 meals/day, no paper service, 250 seats (in/outdoor), bldg occupancy 200 (RS)
	Commercial, restaurant, or public areas				
	Bathroom sink	2	20	40	
	Dishwasher	10	3	30	
	Drinking fountain	1	4	4	
	Ice making machine in freezer or standalone	3	3	9	
	Kitchen sink	4	4	16	
	Service sink	3	1	3	
	Toilet	8	15	120	
	Urinal	8	8	64	
Totals: Water Fixture Units				485	
Sewer Fixture Units				485	
Per Plumbing Code:				Approx peak hour:	140 gpm
Apply 1.25 Factor of Safety For Design				1.25	175 gpm
Pipe Flow - 4-inch dia HDPE					
Slope min= 5%					
Carrying Capacity Per Hazen Williams Formula:					
Velocity at full flow				321 gpm	8.2 ft/sec
Pipe Flow - 6-inch dia PVC					
Slope = 3%					
Carrying Capacity Per Hazen Williams Formula:					
Velocity at full flow				708 gpm	8 ft/sec
Conclusion:	4" HDPE at min 5% slope is acceptable 6" PVC at min 5% slope is acceptable.				

Building	Use	No.	gpd/unit	gpd	Notes
Observatory	Employees	2	30	60	400 customers/day (RS), two bathrooms & one kitchenette (FPA)
	Guests	400	3	1200	
	Bedroom	1	150	150	
			max	1410	
			ave	846	
Ski School/Gondola Storage	Employees	20	30	600	10 employees (gondola storage/ski patrol), 10 employees (ski school), 150 customers/day (RS)
	Guests	150	3	450	
	Gondola Wash Bay	24	50	1200	
			max	2250	
			ave	1350	
Panorama House	Employees	1	30	30	Bar, hand sink, drinking fountain, 1 employee, 20 customers (RS)
	Guests	20	3	60	
			max	90	
			ave	54	
Lodge/Restaurant	Employees	15	30	450	1000 meals/day, no paper service, 250 seats (in/outdoor), bldg occupancy 200, wedding events (RS)
	Meals	1000	10	10000	
	Event Guests	150	3	450	
	Event Meals	150	10	1500	
			max	12400	
			ave	7440	
Totals:			max day	16150	gpd
			ave day	9690	gpd



Manhole Odor Eliminator

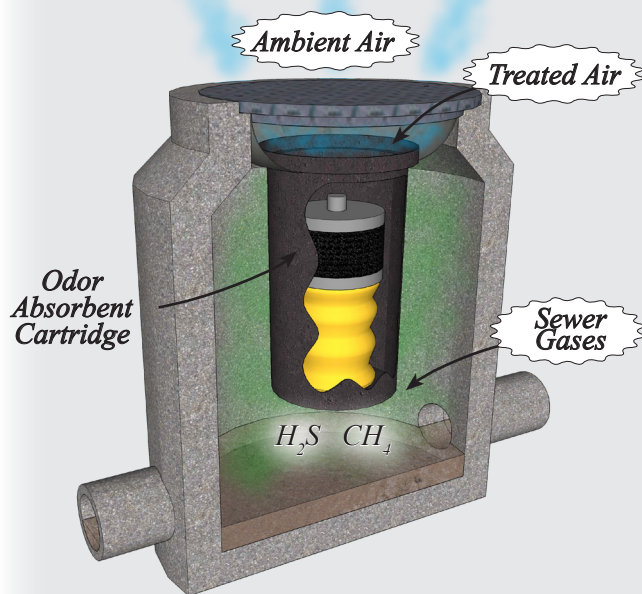
Patented

www.ManholeOdorEliminator.com

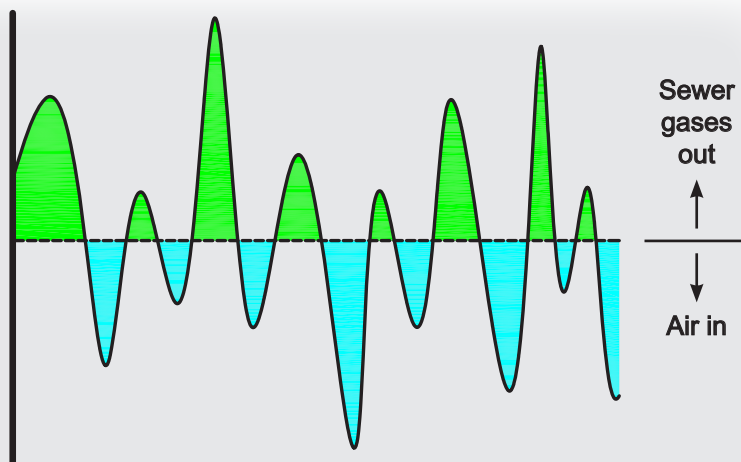
- Controls Odors
- Low Cost
- Easy Installation
- Contains Odor Absorbent
- Long Lasting
- Replaceable Filter Cartridge
- Low Maintenance
- Fits All Size Manholes



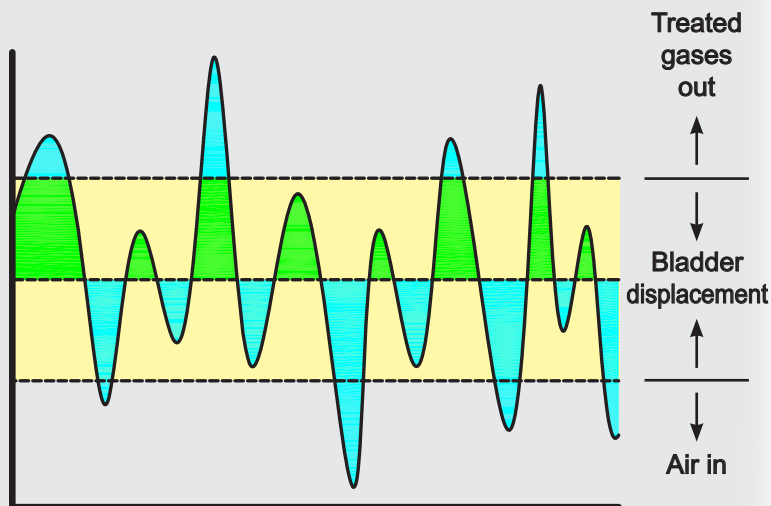
Eliminate the rotten egg sewer gas smell from manholes



The bladder buffers the frequent fluctuations of sewer gas. The odor absorbent cartridge only has to treat the peak flow.



Typical gas and air flow through manhole cover.



Only sewer gases that exceed bladder capacity need to be treated. This greatly extends filter life.

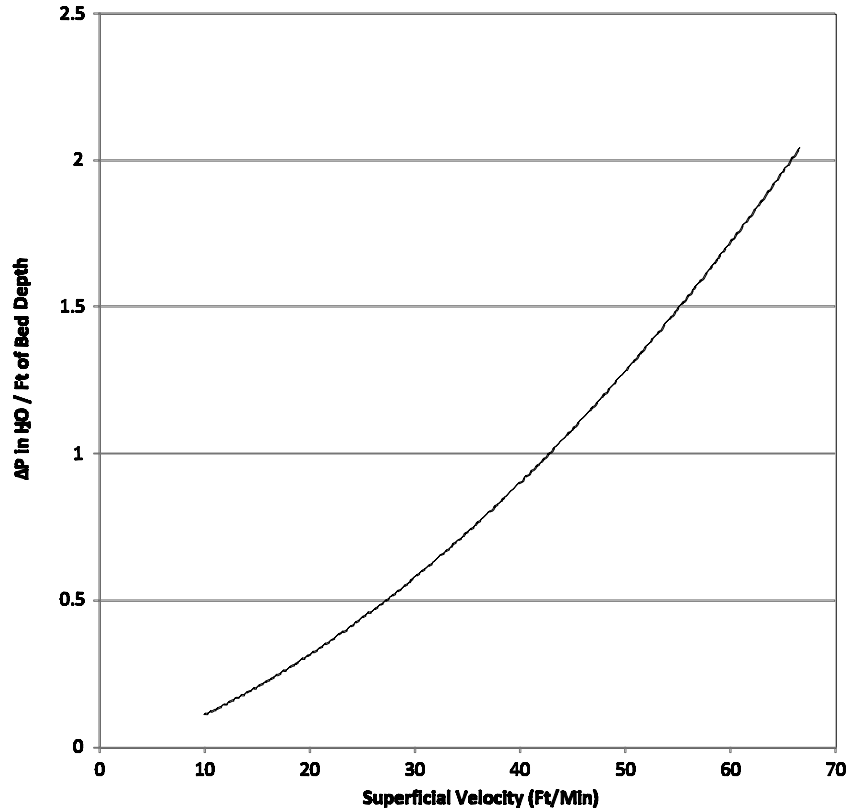
The Manhole Odor Eliminator (MOE™) is a filter system designed to remove odors from sewer vents and other manholes. Each filter cartridge contains odor absorbent media. This filter can remove large amounts of hydrogen sulfide and other malodorous odors from sewer manholes. Call today for sizing and information.

Inventive Resources, Inc.
P.O. Box 1316
5038 Salida Blvd. Salida, CA 95368
Phone (888) 285-6158 Fax (209) 545-3533
Email: info@irproducts.com

SPECIFICATION CHART

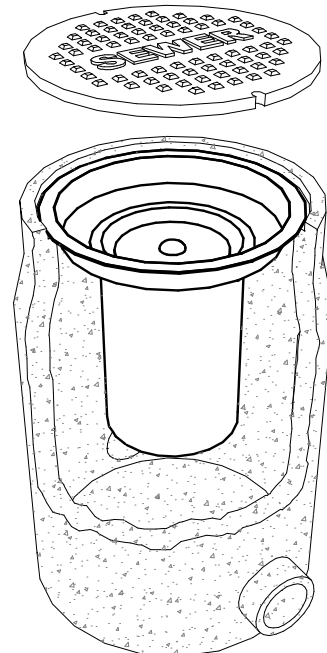
Model Number	ID of Manhole (Inches)	OD of Manhole Cover (Inches)
MOE-R18-18	19	21
MOE-R18L-18	20	22
MOE-R20-18	20 1/2	22 1/2
MOE-R20L-18	21	23
MOE-RS-18	21 1/2	23 1/2
MOE-R21.5-18	22	24
MOE-R22-18	22 1/2	24 1/2
MOE-R22L-18	23	25
MOE-R23-18	23 1/2	25 1/2
MOE-RL-18	24	26
MOE-R23L-18	25	27
MOE-R25.5-18	25 1/2	27 1/2
MOE-R25.5L-18	26	28
MOE-R28-18	28	30
MOE-R28L-18	28 1/2	30 1/2
MOE-R29-18	29 1/2	31 1/2
MOE-R29L-18	30	32
MOE-R32-18	31 1/2	33 1/2
MOE-R32L-18	32	34
MOE-R36-18	36 1/2	38 1/2
MOE-R36L-18	37	39

Media Pressure Drop



NOTES:

1. The Manhole Odor Eliminator can adapt to most manholes.
2. The bladder buffers the fluctuations of sewer gas so that the odor absorbent cartridge treats the peak gas flow.
3. Filter support frame shall be made of 304 Stainless Steel or HDPE, and housing shall be made of HDPE.
4. H₂S filter cartridge size: Nominal 11"ØX10"H with internal perforated vent tube, containing approximately 800in³ of H₂S odor absorbing material.
5. The standard odor absorber cartridge is 11"ØX10"H containing 20 lbs. of media.
6. Custom sizes can be made to fit most manholes.
7. Filters listed above fit manholes with a minimum depth of 28".
MOE™ units for shallower manholes will have a smaller bladder and may require more frequent cartridge changes.
8. Model numbers with an "L" will only fit manhole covers that are flat on the bottom (*Style 1 on sizing guide*).



The MOE
Installed in manhole

MANHOLE ODOR ELIMINATOR

MOE™

Inventive Resources, Inc.

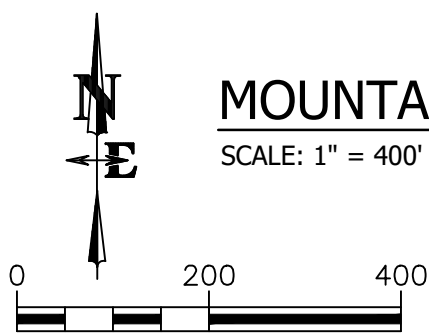
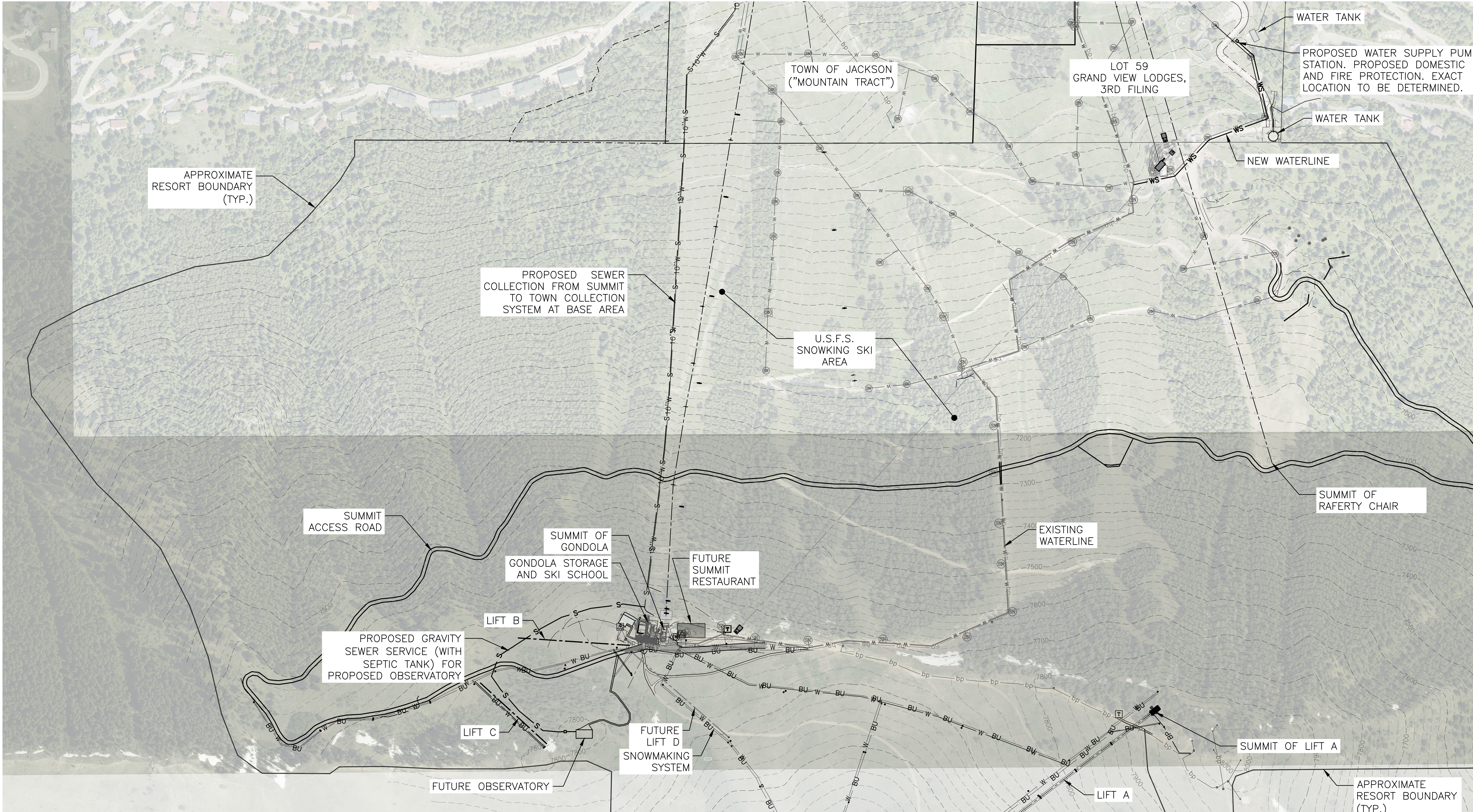
5038 Salida Blvd. PO Box 1316
Salida CA 95368

Phone (888) 285-6158
Fax (209) 545-3533

DRAWING NO. **MOE-158191**

DATE **10-04-16** Sheet 1 of 1

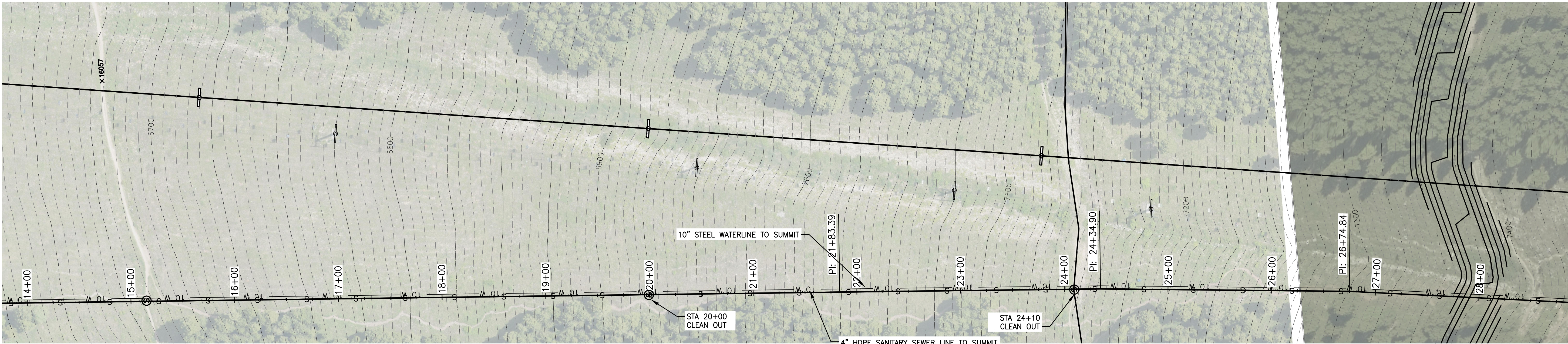
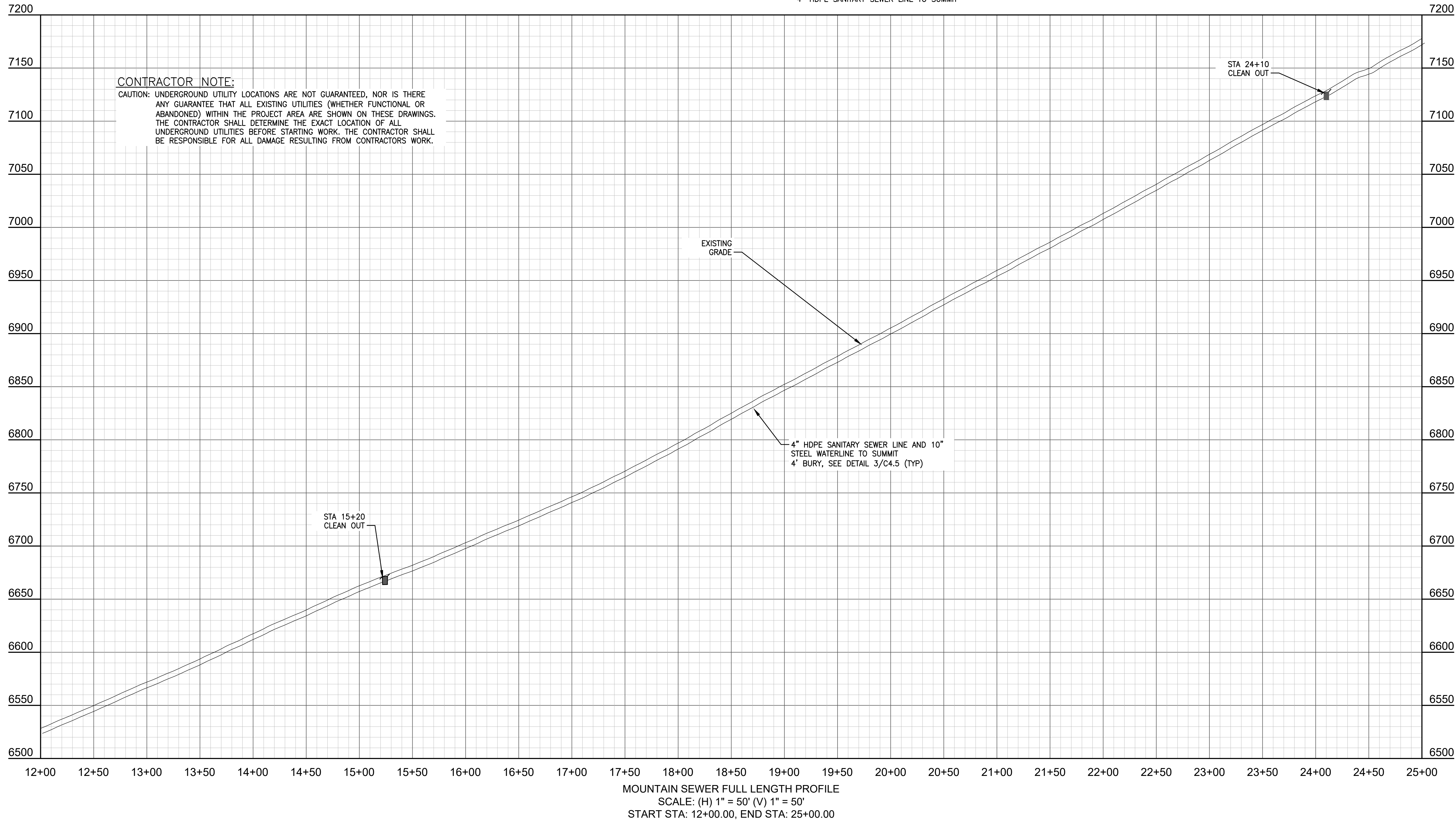
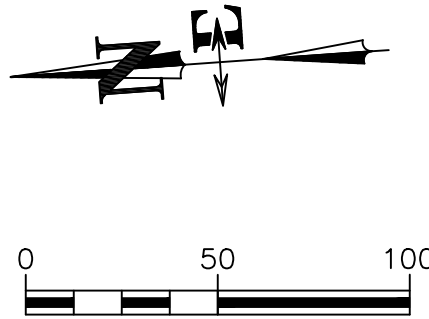
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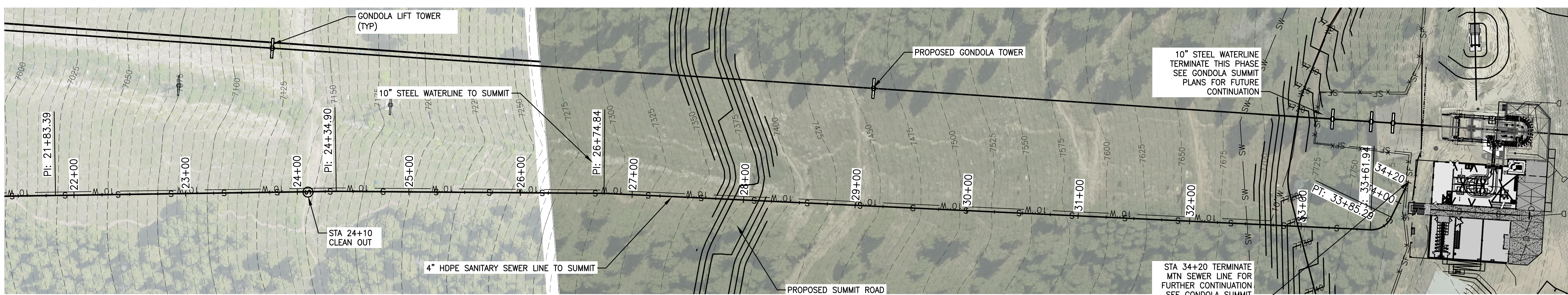
MOUNTAIN EXPANSION OVERVIEW
SCALE: 1" = 400' (12X18)

DRAWING NO EXHIBIT	JOB TITLE SNOW KING MOUNTAIN RESORT UPPER MOUNTAIN AND BACKSIDE IMPROVEMENTS JACKSON, WYOMING	DRAWING TITLE EXHIBIT FOR OUTSIDE OF TOWN OF JACKSON CONNECTION AND USE FOR WATER AND SEWER						REV.
			DATE	SURVEYED	ENGINEERED	DRAWN	6/22/2021	NE
								FD/DD
								FD/BIG
								DD
JOB NO 19-262-01			P.O. BOX 1598, JACKSON WYOMING (307) 733-2087					
			APPROVED		DD			

S:\Proj\2019\252-01 Snow King Summit Gondola Improvements\3\4 Drawings\CA\CA-PLAN-PROF-MOUNTAIN SEWER FULL LENGTH\dwg SUMMIT SNOWMAKING WATER & SEWER P & P 2.dwg - Jan 16 2021 09:27:31 pm PLOTTED BY: berring DWG FORMAT: 230



DRAWING NO	JOB TITLE	DRAWING TITLE	DATE	REV	REVISIONS			
					DATE	BY	APP	DD
C4.12.1	SNOW KING MOUNTAIN RESORT 2021 IMPROVEMENTS & GONDOLA PROJECT JACKSON, WYOMING	SUMMIT SNOWMAKING WATER & SEWER P & P 2	12/23/2020	NE	3/2/21	FD,DB,NB,BC	3/23/21	6/9/21
19-262-01								



6" TOP OF BEDDING

TRENCH SLOPE
PER OSHA
SEE DETAIL 2
THIS SHEET

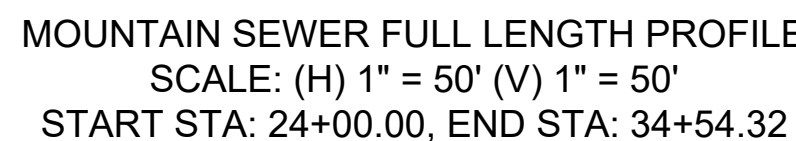
40 MIL PVC
MEMBRANE
WATER STOP

FIELD SEAM IF
REQUIRED W/
MANUFACTURE
RECOMMENDED
GLUE

CUT DIAGONALLY
TO FIT SNUG
AROUND PIPE

CUT OPENING
FOR CONDUIT

- WATER STOP
1
C4.12.2 WATER STOP DETAIL



DRAWING NO C4.12.2	JOB TITLE SNOW KING MOUNTAIN RESORT 2021 IMPROVEMENTS & GONDOLA PROJECT JACKSON, WYOMING	DRAWING TITLE SUMMIT SNOWMAKING WATER & SEWER P & P 3	DATE	12/23/2020	REV.
	JOB NO 19-262-01		SURVEYED ENGINEERED	NE FD,DB,NE,BG	3/2/21 3/23/21
			DRAWN	FD,DB,NE,BG	6/9/21
			CHECKED	DD	
			APPROVED	DD	

STAFF REPORT



Meeting Date:	October 18, 2021	Meeting Title:	Regular
Submitting Department:	Public Works - Engineering	Presenter:	Brian Lenz – Town Engineer
Agenda Item:	P21-47: Lower Valley Energy Gas Easement and vacation of existing easement	Public Comment:	Yes

Purpose & Policy Considerations.

For the Town Council to consider approving two separate and non-dependent requests:

- Vacating a portion of an existing an access easement benefitting 172 Center Street, Teton County Clerk Doc. 0742510, (the “2008 Access Easement”), and
- a new easement between Lower Valley Energy and the Town of Jackson for a gas service line across 174 North King Street (the “LVE Easement”).

Requested Action.

Staff requests Town Council approval of both items:

- Vacating a portion of a 2008 Access Easement, and
- a new LVE Easement

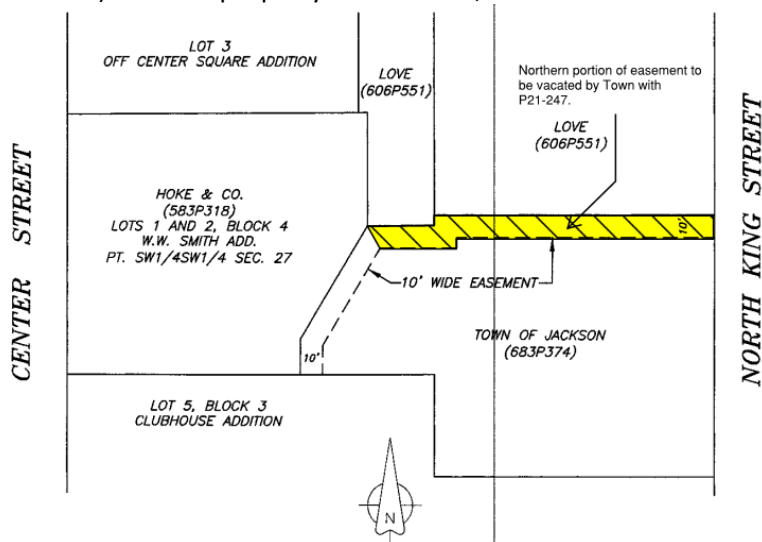
Recommendations.

Staff recommends approving both items: A) vacating a portion of the 2008 Access Easement and B) granting a new LVE easement.

Background.

The two items are presented together because the proposed LVE Easement overlays the existing 2008 Access Easement that was granted in 2008 for the development of 172 Center Street.

The 2008 Access Easement provided that the Town could vacate the northern portion of the easement if an alternative access was provided. An alternative access easement has been provided through an easement (Teton County Clerk Doc 1012024) with the property to the north, i.e. the Cloudveil Hotel property.



The new LVE Easement is for a Lower Valley Energy Gas Distribution main across the Town owned property at 174 North King Street, currently the site of a Jackson Hole Community Housing Trust multi-family development. The proposed gas line will serve 172 Center Street. The new LVE Easement area for gas is also burdened with sewer and stormwater main infrastructure.

Analysis.

The Public Works Engineering Division determined the request for the easement is reasonable and does not encumber the Town's property any more than it already is for existing sewer and stormwater services.

CONDITIONS OF APPROVAL (of new LVE easement)

1. New Easement is subsidiary to the Lower Valley Energy Franchise Agreement

Possible Alternatives.

1. Proceed with granting the new gas easement and vacating the existing access easement.
2. Proceed with only granting the gas easement or vacating the easement.
3. Deny both requests.

Comprehensive Plan & Priority Alignment.

This Easement supports the following Comp Plan goals:

Common Value 3 Quality of Life

Section 8. Quality Community Service Provision

- Principle 8.2 – Coordinate the provision of infrastructure and facilities needed for service delivery

Common Value 2 Growth Management

Section 3. Responsible Growth Management

- Principle 3.1 – Direct growth out of habitat, scenery and open space
 - Policy 3.1.b: Direct development toward suitable Complete Neighborhood subareas
- Principle 3.2 Enhance suitable locations as Complete Neighborhoods
 - Policy 3.2.a: Enhance the quality, desirability, and integrity of Complete Neighborhoods

Fiscal Impact.

Cost for the easement and gas line installation are the sole responsibility of the Lower Valley Energy.

Staff Impact.

Town Administration, Legal, and Engineering staff coordinate to process and produce the Utility Easement, 4-8 hours of staff time. Prepare an affidavit to vacate the northern portion of the 2008 Access Easement is approximately 4-6 hours.

Attachments or Links.

Proposed Easement Agreement and associated Exhibits

Suggested Motion. *Council always has the option to adopt, approve with conditions, continue, or deny items.*

Item A

I move to direct the Town Attorney and Town Engineer to prepare the appropriate documents to vacate the northern portion of the 2008 Access Easement and authorize the Mayor to execute all necessary documents.

Item A

I move to approve the Easement Agreement between Lower Valley Energy and the Town of Jackson and, upon review, including any minor changes thereto, by the Town Attorney and Town Engineer, authorize the Mayor to execute all necessary Agreements.



TOWN OF JACKSON PLANNING & BUILDING DEPARTMENT

TRANSMITTAL MEMO

Town of Jackson

- ☒ Public Works/Engineering
- ☐ Building
- ☐ Title Company
- ☒ Town Attorney
- ☐ Police

Joint Town/County

- ☐ Parks and Recreation
- ☐ Pathways
- ☐ Joint Housing Dept

Teton County

- ☐ Planning Division

- ☐ Engineer
- ☐ Surveyor- *Nelson*
- ☐ Assessor
- ☐ Clerk and Recorder
- ☐ Road and Levee

State of Wyoming

- ☐ Teton Conservation
- ☐ WYDOT
- ☐ TC School District #1
- ☐ Game and Fish
- ☐ DEQ

Federal Agencies

- ☐ Army Corp of Engineers

Utility Providers

- ☐ Qwest
- ☐ Lower Valley Energy
- ☐ Bresnan Communications

Special Districts

- ☐ START
- ☐ Jackson Hole Fire/EMS
- ☐ Irrigation Company

Date: September 17, 2021	REQUESTS: The applicant is submitting a request for an Easement for the property located at 172 Center St. known as LOT 1-2, BLK. 4, SMITH PT SW1/4SW1/4, SEC. 27, TWP. 41, RNG. 116 For questions, please call Brian Lenz at 733-0440, x1410 or email to the address shown below. Thank you.
Item #: P21-247	
Planner: Tyler Valentine Phone: 733-0440 ext. 1302 Email: tvalentine@jacksonwy.gov	
Owner Town of Jackson PO Box 1687 Jackson, WY 83001 Applicant: Lower Valley Energy PO Box 572 Jackson, WY 83001	
Please respond by: October 8, 2021 (with Comments)	

RESPONSE: For Departments not using Trak-it, please send responses via email to:
blenz@jacksonwy.gov



PLANNING PERMIT APPLICATION
Planning & Building Department

150 E Pearl Ave. | ph: (307) 733-0440
P.O. Box 1687 | www.townofjackson.com
Jackson, WY 83001

For Office Use Only

Fees Paid _____ Date & Time Received _____
Application #s _____

Please note: Applications received after 3 PM will be processed the next business day.

PROJECT.

Name/Description: TOWN OF JACKSON
Physical Address: 174 CENTER STREET
Lot, Subdivision: PT SW 1/4 SW 1/4 SEC 27, T41N,R116W PIDN: 22-41-16-27-3-00-021

PROPERTY OWNER.

Name: TOWN OF JACKSON Phone: _____
Mailing Address: PO BOX 1687, JACKSON, WY ZIP: 83001
E-mail: alangley@jacksonwy.gov

APPLICANT/AGENT.

Name: LOWER VALLEY ENERGY Phone: (307)739-6027-JAN
Mailing Address: PO BOX 572, JACKSON, WY ZIP: 83001
E-mail: jwood@lvenergy.com

DESIGNATED PRIMARY CONTACT.

_____ Property Owner ☒ _____ Applicant/Agent

TYPE OF APPLICATION. Please check all that apply; review the type of application at www.townofjackson/200/Planning

Use Permit

_____ Basic Use
_____ Conditional Use
_____ Special Use

Relief from the LDRs

_____ Administrative Adjustment
_____ Variance
_____ Beneficial Use Determination
_____ Appeal of an Admin. Decision

Physical Development

_____ Sketch Plan
_____ Development Plan
_____ Design Review

Subdivision/Development Option

_____ Subdivision Plat
_____ Boundary Adjustment (replat)
_____ Boundary Adjustment (no plat)
_____ Development Option Plan

Interpretations

_____ Formal Interpretation
_____ Zoning Compliance Verification

Amendments to the LDRs

_____ LDR Text Amendment
_____ Map Amendment

Miscellaneous

☒ **Other:** EASEMENT
_____ Environmental Analysis

PRE-SUBMITTAL STEPS. To see if pre-submittal steps apply to you, go to www.townofjackson.com/200/Planning and select the relevant application type for requirements. Please submit all required pre-submittal steps with application.

Pre-application Conference #: _____ Environmental Analysis #: _____

Original Permit #: _____ Date of Neighborhood Meeting: _____

SUBMITTAL REQUIREMENTS. Please ensure all submittal requirements are included. The Planning Department will not hold or process incomplete applications. Partial or incomplete applications will be returned to the applicant. Go to www.townofjackson.com/200/Planning and select the relevant application type for submittal requirements.

Have you attached the following?

_____ **Application Fee.** Fees are cumulative. Go to www.townofjackson.com/200/Planning and select the relevant application type for the fees.

_____ **Notarized Letter of Authorization.** A notarized letter of consent from the landowner is required if the applicant is not the owner, or if an agent is applying on behalf of the landowner. Please see the Letter of Authorization template at <http://www.townofjackson.com/DocumentCenter/View/845/LetterOfAuthorization-PDF>.

_____ **Response to Submittal Requirements.** The submittal requirements can be found on the TOJ website for the specific application. If a pre-application conference is required, the submittal requirements will be provided to applicant at the conference. The submittal requirements are at www.townofjackson.com/200/Planning under the relevant application type.

Note: Information provided by the applicant or other review agencies during the planning process may identify other requirements that were not evident at the time of application submittal or a Pre-Application Conference, if held. Staff may request additional materials during review as needed to determine compliance with the LDRs.

Under penalty of perjury, I hereby certify that I have read this application and associated checklists and state that, to the best of my knowledge, all information submitted in this request is true and correct. I agree to comply with all county and state laws relating to the subject matter of this application, and hereby authorize representatives of Teton County to enter upon the above-mentioned property during normal business hours, after making a reasonable effort to contact the owner/applicant prior to entering.

Jan Woodmencey

Signature of Property Owner or Authorized Applicant/Agent

JAN WOODMENCEY

Name Printed

9/17/21

Date

CUST. SVC. ENG.

Title

DISTRIBUTION GAS EASEMENT

KNOW ALL MEN BY THESE PRESENT:

That the undersigned, TOWN OF JACKSON, a Wyoming municipal corporation, ("Grantors") for a good and valuable consideration, the receipt of which is hereby acknowledged, do hereby grant, convey and warrant unto Lower Valley Energy, a Cooperative Corporation, of Afton and Jackson, Wyoming and to its successors and assigns, ("Grantees"), a perpetual easement and right of way for the construction and continued maintenance, repair, alteration and replacement of the natural gas lines, lines and equipment of the Grantee to be constructed and maintained under, upon and across the premises of Grantor in Teton County, State of Wyoming, along a line described as follows, to wit:

As described in Exhibit A and as shown on Exhibit B, attached hereto and by this reference made a part hereof.

Together with all necessary and reasonable rights of ingress and egress and to excavate and refill ditches and trenches for the location and repair of said facilities and to cut, trim, spray herbicides, or remove trees, shrubbery, undergrowth or other obstructions interfering with the repair and maintenance of the facilities.

Grantor agrees that all natural gas lines and other facilities, installed on or under the described lands shall remain the property of the Grantee removable in the sole discretion of the Grantee at the Grantee's expense. The rights, conditions and provisions of this easement shall inure to the benefit of and be binding upon the parties, their heirs, executors, administrators, successors and assigns. Grantor shall compensate Grantee for any damages to Grantee's facilities caused by Grantor, including payment of Grantee's attorney fees if action is undertaken by Grantee to enforce the commitments described in this easement. Grantor reserves the right to improve, occupy and use this easement for all purposes not inconsistent with the easement grant. Each party shall have the remedy of specific performance regarding this easement. The rights and obligations described in this easement shall run with the land. This easement is not exclusive, and Grantor retains all rights not specifically granted by this easement. This is the entire agreement of the parties regarding this easement, except as may be set forth in writing after the date of this easement and signed by the parties. Grantor hereby releases and waives all rights by virtue of the Homestead Exemption Laws of Wyoming.

WITNESS the Hand of the Grantor, this ____ day of _____, 20__.

TOWN OF JACKSON

By: _____

Its: _____

STATE OF }

COUNTY OF }

The foregoing instrument was acknowledged before me by _____,
affirming proper authority as the _____ of Town of Jackson, this
_____ day of _____, 20__.

(Seal)

Witness my hand and official seal.

Notary Public

My commission expires:

EXHIBIT A

A 10-foot-wide Access and Utility Easement located in those Tracts of Land described within Warranty Deed, Book 683, pages 374-375, records of the Clerk of Teton County, Wyoming and being located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 27, Township 41 North, Range 116 West, 6th P.M., Town of Jackson, Teton County, Wyoming, said easement being the northerly 10 feet of said tracts and being more particularly described as follows;

Beginning at the northeast corner of the first tract of land (Tract 1) described in Said Book 683, and being the westerly right of way line of King Street, thence N 89°37'38" W along the north line of Said Tracts, a distance of 154.97 feet to the northwest corner of the second Tract (Tract 2);

Thence S00°22'22" W along the westerly line of said Tract 2, a distance of 5.00 feet;

Thence S31°20'22" W, continuing along said westerly line to a point being 10 feet southerly of said north line, a distance of 5.83 feet;

Thence S89°37'38" E, being 10 feet southerly of said north line, a distance of 157.92 feet to said westerly right-of-way line of King Street;

Thence N00°38'22" E, along said right-of-way line, a distance of 10.00 feet to the point of beginning.

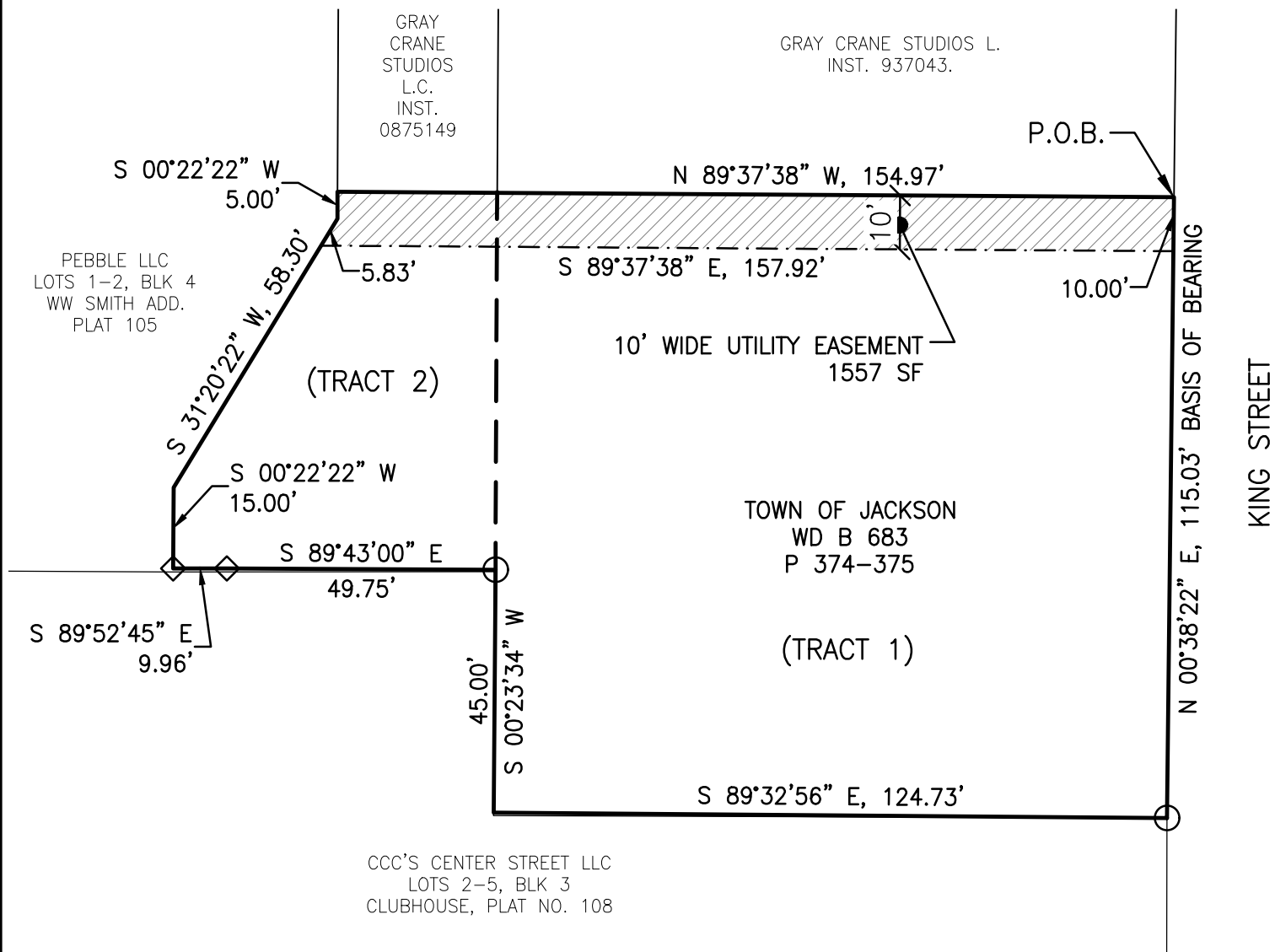
Said easement contains 0.0357 acres, more or less, and is subject to any easements, rights-of-way, reservations or restrictions of sight and/or of record.

The Basis of Bearing for this description is N00°38'22" E along the westerly line of King Street.

All as shown on Exhibit "B" attached hereto and by this reference made a part hereof.

Lucas D. Rudolph
Wyoming PLS 15442
Nelson Engineering
Project 21-271-01
June 24, 2021

EXHIBIT B



SCALE 1" = 30'

PART OF SW 1/4, SW 1/4,
SECTION 27, T41N, R116W,
TOWN OF JACKSON,
TETON COUNTY WYOMING

DRAWING NO 1	DRAWING TITLE LOWER VALLEY ENERGY UTILITY EASEMENT FROM TOWN OF JACKSON	 NELSON ENGINEERING P.O. BOX 1599, JACKSON WYOMING (307) 733-2087	DATE 6/24/2021
JOB NO 21-271-01			ENGINEERED
			DRAWN SK
			CHECKED LR
			APPROVED LR

STAFF REPORT



Meeting Date:	October 18, 2021	Meeting Title:	Town Council Regular
Submitting Department:	Administration	Presenter:	Roxanne Robinson
Agenda Item:	Council Rules & Procedures	Public Comment:	Yes

Purpose & Policy Considerations.

The purpose of this item is for Council to adopt an update to its Rules and Procedures that are created pursuant to Wyoming Statute § 15-1-106, which states that the governing body shall determine the rules for the conduct of its proceedings.

Requested Action.

The requested action is for Council to adopt the updated Rules and Procedures as presented or make further amendments and adopt an amended version.

Recommendations.

Staff recommends the Town Council adopt the updated Rules and Procedures as presented subject to any minor formatting or grammatical corrections by staff.

Background.

At the October 11, 2021 special meeting, the Town Council directed staff to place the updated Rules and Procedures on the October 18, 2021 agenda for adoption. A summary of the major amendments was provided in the staff report for the October 11 meeting and the full tracked changes version of the Rules and Procedures was also provided on October 11. There appeared to be general consensus among the Council for the Town Attorney to research issues around announcing absences and also excused absences. That information is provided below:

Announcing Absences. The elements of such a provision discussed on October 11 included the announcement: 1) being public; 2) being in advance of the absence; 3) not including the reasons for the absence(s); and 4) being required. Given the potential for unforeseen/unforeseeable absence, the Town Attorney drafted a process (below) for ensuring an announcement for those absences as well. Should Council see fit to add such a provision to its Rules and Procedures, the Town Attorney provides the following as a suggestion for initial Council discussion that could be incorporated into the Rules and Procedures under Section III Quorum as an additional paragraph at the end of that section:

A Councilmember or the Mayor who shall be absent from a meeting(s) shall make such absence known in the meeting prior to such absence(s). If the Councilmember or Mayor does not announce the absence at a meeting prior to such absence, they shall promptly, upon knowing they shall miss a meeting(s), notify the Town Clerk, supplying information as to which meeting(s) shall be missed. The Town Clerk shall notify the other Councilmembers and the Mayor, as the case may be, of such absence(s) at the meeting.

Excusing Absences. As noted in the staff report for Ordinance Q regarding absence and vacancy in office, Council discussed adding specific situations of absence to the ordinance that would be deemed excused. However, as noted in the staff report for Ordinance Q, the Town Attorney does not recommend incorporating absences deemed excused in the ordinance as the Council must excuse the absence by a majority vote.

The compromise to get closer to Council's goal of memorializing reasons for absence it sees as objectively worthy of being excused is to add a provision in the Council Rules and Procedures. Staff provides the following as an initial draft for discussion that could be incorporated into the Rules and Procedures in Section III Quorum as an additional paragraph at the end:

The following reasons for a Councilmember or Mayoral absence(s) are considered excused, however any excusal shall be determined by a majority of Council pursuant to Wyo. Stat. Ann. § 15-1-107, as amended:

- *For the birth and care of the newborn child of a Councilmember or the Mayor; or*
- *For placement with a Councilmember or the Mayor of a child for adoption or foster care; or*
- *To care for a Councilmember or the Mayor's immediate family member (spouse, child, or parent) with a serious health condition; or*
- *To take medical leave when a Councilmember or the Mayor is unable to participate because of a serious health condition; or*
- *For a bereavement period related to the death of an immediate family member; or*
- *The acceptance of a commission to any military office or the enlistment in or induction into the military service of the United States which may require an incumbent in an elective office to exercise military duties within or without the state for any period of time within the term for which such person has been elected or appointed; or*
- *The attendance, under military orders, at Reserve or National Guard monthly drill sessions or required training camps.*

Additional options for amendments to the Rules and Procedures that were raised at the meeting included a dress code for meetings and use of titles or proper names for addressing the public and staff.

Stakeholders involved in the Rules and Procedures would include members of the Town Council, Town staff in understanding the Council's Rules and Procedures, and the public attending Town Council meetings.

Analysis.

The desired outcome is to establish updated Rules and Procedures to ensure comfort, understanding, and expectations amongst all members of the Town Council.

Updating the Rules and Procedures will be positive for staff in that they will provide more clarity for Council on agenda setting, maintaining a list of items for future consideration, and virtual attendance.

Possible Alternatives.

As may be determined by the Mayor and Council.

Comprehensive Plan & Priority Alignment.

Fiscal Impact.

There is no fiscal impact to adoption of updated Rules and Procedures. They are not required to be published.

Staff Impact.

Staff has spent approximately 35 hours preparing updated Rules and Procedures for Council consideration and researching issues.

Attachments or Links.

Clean version of updated Rules and Procedures.
Tracked changes version of Rules and Procedures.

Suggested Motion. *Council always has the option to adopt, approve with conditions, continue, or deny items.*

I move to approve the updated Council Rules and Procedures as presented, subject to any minor formatting or grammatical corrections by staff.



Rules and Procedures

TOWN COUNCIL Of Town of Jackson, Wyoming

Updated _____, 2021

Pursuant to W.S. § 15-1-106 the governing body shall determine the rules for the conduct of its proceedings.

Effective _____, 2021

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CHAPTER ONE

GENERAL PROVISIONS

Section I. Adoption of Robert's Rules of Order.

The Town has adopted "Robert's Rules of Order" as its guideline for parliamentary procedure. The rules of parliamentary procedure should be adhered to whenever possible for the proper and orderly conduct of Town Council meetings. Where there is a conflict in procedure between that set forth in the Wyoming Statutes for Municipal Ordinances and that contained in "Robert's Rules of Order", the procedures established by law take precedence.

Section II. Suspension of Rules.

The Town Council has the right to suspend such rules as it has the power to adopt, including any rules contained in "Robert's Rules of Order". When the Town Council acts in violation of such rules as it has the authority to suspend, the rules are deemed suspended thereby and its actions are not invalidated by failure to comply with such rules.

Section III. Precedence of Rules.

The following is a compilation of both applicable parliamentary laws and those parliamentary rules and procedures that have been adopted by this Town Council. Any rules herein, in conflict with "Robert's Rules of Order", shall take precedence and shall be considered as amendments to said "Robert's Rules of Order."

CHAPTER TWO

RULES AND PROCEDURES

Section I. Types of Meetings.

Town Council meetings shall be conducted in person unless the Mayor or a majority of the Town Council determines the meeting shall be held virtually due to safety or security reasons. A majority of Council may overturn the decision of the Mayor to hold the meeting virtually. Town Council meetings may be of the following kinds:

- A. "Regular meetings" are set by ordinance and pursuant to Wyo. Stat. Ann. § 16-4-404(a).
- B. "Special meetings" may be called as provided by ordinance and pursuant to Wyo. Stat. Ann. § 16-4-404(b) and § 15-1-105. Regular meetings that are rescheduled are special meetings. Regular meetings that begin earlier or later than the time set by ordinance are special meetings. Special meetings may be called by the Mayor or by a majority of the Town Council.
 - 1. Mayoral Determination. When the Mayor sets a special meeting, the Town Clerk shall inform all members of the Town Council of the details of the meeting and shall proceed with public notification, Town staff notification, and agenda preparation.
 - 2. Majority of the Town Council Determination. When a majority of the Town Council agrees to set a special meeting, a representative of that majority shall contact the Town Clerk. The Town Clerk shall then inform all members of the Town Council of the details of the meeting and shall proceed with public notification, staff notification, and agenda preparation.
 - 3. Town Staff Request. When the Town Manager, or their designee, desires a special meeting, the Town Manager, or their designee, shall contact the Town Clerk. The Town Clerk shall contact the Mayor to obtain authorization for that meeting. The Town Clerk shall then inform all members of the Town Council of the meeting and shall proceed with public notification, Town staff notification, and agenda preparation.
- C. "Executive sessions" may be called as provided by ordinance and pursuant to Wyo. Stat. Ann. § 16-4-405.
- D. "Emergency meetings" may be called pursuant to Wyo. Stat. Ann. § 16-4-404(d).

Section II. Notice of Meetings.

No notice of regular meetings is required. Action may be taken on matters before the Town Council at a regular meeting regardless of prior listing on the agenda, unless the matter requires advance notice as per the Jackson Municipal Code or Wyoming Statutes. Noticing is required for special meetings as set forth in Wyo. Stat. Ann. § 16-4-404(b). The notice for special meetings shall state the business to be transacted. No other business may be considered at a special meeting.

Section III. Quorum.

A majority of the Town Council is sufficient to conduct business, and motions may be passed 2-1 if only three (3) Councilmembers are present, but ordinances, resolutions granting franchises or licenses and motions concerning the payment of money require at least three (3) affirmative votes. Except for meetings designated as virtual by the Mayor or a majority of the Town Council, Town Council members shall attend meetings in person with the following exceptions:

- A. Town Council members may virtually participate, vote, and be counted for purposes of the quorum for no more than three (3) meetings in a one (1) year period, whether regular, special, or emergency meetings without the approval of the Mayor.
- B. The ability for a Councilmember to virtually participate, vote, and be counted in the quorum of the Council beyond the three (3) occurrences in the (1) year period shall be allowed only with the approval of the Mayor for each individual meeting where such a request is made. The ability for staff members to participate virtually shall be allowed only with the approval of the Town Manager for each individual meeting where such a request is made.

A member who recuses themselves from discussion and action on a particular item shall do so by stepping down from the Council desk, leaving the Council Chambers, or turning off their video during a virtual meeting, and, once they do so, is no longer counted towards a quorum being present.

Section IV. Conduct of Regular Meetings Held at 6:00 PM Pursuant to Section 2.04.010 of the Municipal Code.

- A. The Mayor, or in the absence of the Mayor, the Vice Mayor, shall act as chairperson at all meetings.
- B. The powers and duties of the Mayor include moving, seconding, debating, and voting from the Chair.
- C. The Mayor shall introduce each item on the agenda, ask for a staff presentation (if applicable), ask for applicant presentation (if applicable), ask for a motion on the matter, take public comment (as appropriate), preside over Council discussion, and call for a vote on the item. Below is the schedule for the 6:00PM regular meeting. Such schedule may be altered by the Mayor.
 - 1. Consent Calendar Item
 - a. Mayor reads the title of each item on the consent calendar.
 - b. Mayor asks if any Councilmember would like to withdraw any items from the consent calendar.
 - c. Councilmembers state items to be withdrawn, if any.
 - d. Mayor asks for a motion to approve all items on the consent calendar that were not withdrawn.
 - e. Motion made and seconded to approve all items on the consent calendar that were not withdrawn.

- f. Mayor asks for public comment on all items on the consent calendar that were not withdrawn.
 - g. Vote on all items on the consent calendar that were not withdrawn.
 - h. Withdrawn items are introduced, discussed, moved, publicly commented on, and voted on one at a time.
- 2. Public Hearing, Discussion and/or Action Item
 - a. Mayor opens a public hearing on agenda item and/or reads the title thereof.
 - b. Presentation by staff.
 - c. Town Council questions of staff.
 - d. Presentation by applicant.
 - e. Town Council questions of applicant.
 - f. Mayor asks for public comment.
 - g. Motion made and seconded regarding the item.
 - h. Town Council discussion of the item.
 - i. Mayor calls for the vote.
- 3. Resolution
 - a. Agenda Item is read by Mayor.
 - b. Town Council questions of staff.
 - c. Public comment.
 - d. Motion made and seconded regarding the item.
 - e. Town Council discussion.
 - f. Mayor calls for the vote.
- 4. Ordinance
 - a. Motion to read all ordinances by short title
 - b. Ordinances read by Town Attorney either individually or all consecutively
 - c. Town Council questions of staff
 - d. Public comment
 - e. Motion and Second to Approve
 - f. Town Council discussion
 - g. Mayor calls for the vote
- D. At their discretion, the Mayor may allow additional Town Council questions of staff, Town Council questions of the applicant, and/or public comment at any time they deem appropriate.
- E. The Chief of Police, or their designee, shall serve as Sergeant-at-Arms to preserve order in the Chambers during in-person meetings.

Section V. Conduct of Other Regular or Special Meetings.

The conduct and order of business of regular or special meetings other than those regular meetings held at 6:00 PM shall be determined by the Town Clerk with input from the Mayor, Town Manager, or their designees.

Section VI. Vice Mayor.

Each January, or whenever the Mayor deems appropriate, pursuant to W.S. §15-1-108(a)(i), the Mayor shall appoint a Councilmember to serve as the Vice Mayor or Mayor Pro-Tem. In the absence of the Mayor, the Vice Mayor shall preside at all meetings of the governing body and/or perform other Mayoral duties as requested.

Section VII. Rules of Debate.

- A. In obtaining the floor, every Councilmember shall first address the Mayor, gain recognition by the Mayor, and shall confine themselves to the question under debate.
- B. Staff members, after recognition by the Mayor, shall hold the floor until completion of their remarks or until recognition is withdrawn by the Mayor.
- C. No Councilmember shall speak more than once upon any particular item until every other Councilmember desiring to speak upon the item has spoken. No Councilmember shall speak longer than five (5) minutes the first time, or three (3) minutes the second or subsequent times, on any one particular item, except by majority vote of the Town Council. No Councilmember shall speak more than three (3) times on the item without the express consent of the Mayor.

Section VIII. Addressing the Town Council.

- A. Each person desiring to address the Town Council either under the public comment section or under the public comment period for a particular item shall, whether via a virtual platform or the lectern in-person, state their full name for the record; state the subject they wish to discuss; state whom they represent, if they represent an organization or other person(s); and, unless further time is granted by the Mayor or by majority vote of the Town Council, limit their remarks to three (3) minutes.
- B. Public comment made by phone, video, or any other form of electronic communication, in a non-virtual meeting shall not be permitted with the exception of applicant or consultant presentations and interviews for advisory or joint powers boards, as approved in advance of the meeting by the Mayor or Town Manager.
- C. All remarks shall be addressed to the Town Council as a body and not to any individual member thereof.
- D. No question shall be asked of a Councilmember or a member of the staff without the permission of the Mayor. After permission of the Mayor, a question may be asked, but neither staff nor the Councilmember to whom the question is directed shall answer the question during the public comment period.
- E. In order to expedite matters and avoid repetitious presentations, whenever any group of persons wishes to address the Town Council on the same subject matter, it shall be proper for the Mayor to request that a spokesperson be chosen by the group to address the Town Council and, in case

additional matters are to be presented by any other member of said group, to limit the number of such persons addressing the Town Council.

Section IX. Rules of Decorum.

- A. While the Town Council is in session, Councilmembers must preserve order and decorum. No Councilmember, by conversation or otherwise, shall delay or interrupt the proceedings, disturb the order of the Town Council, interrupt any Councilmember while speaking, or refuse to obey the orders of the Mayor.
- B. Staff shall observe the same rules of order and decorum as are applicable to the Town Council.
- C. Any person making impertinent, slanderous, or profane remarks or who becomes boisterous while addressing the Town Council shall be called to order by the Mayor and, if such conduct continues, may, at the discretion of the Mayor, be ordered barred from further audience before the Town Council during that meeting.
- D. Any person in the audience who engages in criminal conduct as defined in the Jackson Municipal Code or, by any rude behavior, interrupts, molests, or disturbs a Town Council Meeting, upon instructions from the Mayor, may be removed from the meeting by the Sergeant-at-Arms, or by appropriate staff managing the virtual meeting.
- E. Matters before the Town Council in a meeting will normally be handled in one of the following manners:
 - 1. Acted upon.
 - 2. Placed under Matters from Mayor and Council for action later on in the meeting.
 - 3. Referred to Town staff for further research and presentation at a future meeting.
 - 4. Received and filed without action.
 - 5. Continued, pending further consideration or the receipt of information to/by staff.
 - 6. Referred to the Town Manager for placement on an upcoming meeting.

Section X. Motions.

- A. When a motion is made and seconded, it may be stated by the Mayor or the Town Clerk before a vote on said motion is taken. Any Councilmember may ask that a motion be restated or displayed on screen prior to voting. Restatement of the motion may be by the Mayor or delegated to any Councilmember or staff member.
- B. A motion shall not be withdrawn by the mover without the consent of the seconder.
- C. If the question contains two or more divisible propositions, the Mayor may, and upon the request of a Councilmember shall, divide the same.
- D. No motion is before the Town Council until it has been seconded.

E. When a motion is before the Town Council, no other motion shall be entertained except:

1. To adjourn.
2. To fix the hour of adjournment.
3. To lay on the table (postpone indefinitely).
4. For the previous question (to vote immediately).
5. To table to a certain day.
6. To refer (to a committee or a member of staff for report).
7. To amend or to substitute another motion.
8. To refer to the Town Manager for placement on a future meeting agenda.

These motions have precedence in the order indicated. The first four (4) motions are not debatable, though it is always permissible to raise a point of order on the proper use of any motion and it is also permissible to appeal the point of order. Once an item of business has been disposed of, it is not available for further debate except upon a motion and majority vote to reconsider pursuant to subsection G hereof.

F. Friendly Amendments. A Councilmember may offer a friendly amendment to a motion that has already been made and seconded. If the motion maker and the second accept the request for the friendly amendment, the motion is thereby deemed amended and, when the Mayor calls for the vote, the vote is on the motion as amended.

G. Reconsideration. A Councilmember may make a motion to reconsider the vote on a particular item to permit correction of hasty, ill-advised, or erroneous action; or to take into account added information; or to address a changed situation that has developed since the taking of the vote. Because of the investment made by members of the public to attend specific Council meetings to hear entire presentations and debate, to make public comments, and hear the vote on a particular item, motions to reconsider are strongly discouraged.

1. A motion to reconsider shall occur either at the same meeting where the original vote was taken, or at the next regular or special meeting prior to the approval of the minutes of the meeting during which the original vote was taken.
2. A motion to reconsider must be made by a Councilmember who voted on the prevailing side.
3. A motion to reconsider can be acted upon immediately or it can be delayed until a future Town Council meeting.
4. If the motion to reconsider will be acted on immediately:
 - a. Debate, a motion, and a vote occurs.
 - b. If the motion to reconsider is successful, the item is then before the Council for action pursuant to the original motion. Additional information can then be presented and discussed, amendments to the original motion can be made, and a vote taken.
5. If the reconsideration will occur at a future meeting:

- a. The Mayor directs the Town Clerk to place the reconsideration item as the first action item on the next agenda and to place the minutes of the previous meeting as the first item immediately following reconsideration.
- b. Public notice for the subsequent meeting includes that the Council intends to reconsider the vote on the item in question.
- c. At the subsequent meeting, debate, a motion, and a vote occurs.
- d. If the motion to reconsider is successful, the item is then before the Council for action pursuant to the original motion. Additional information can then be presented and discussed, amendments to the original motion can be made, and a vote taken.
- e. The minutes of the previous meeting are then approved as amended to include the reconsideration and outcome.
- f. If the vote to reconsider fails, the minutes of the previous meeting are approved as presented and the meeting continues.

Section XI. Voting.

On the passage of every motion, the vote shall be taken and entered in the record by the Town Clerk.

- A. Every Councilmember should vote unless disqualified by a conflict of interest.
- B. The failure of a Councilmember to voice their vote will be considered as their having cast an affirmative vote on the motion.
- C. Abstention. (To refrain from voting)
 1. While it is the duty of every member who has an opinion on the question to express it by their vote, one cannot be compelled to do so. A Councilmember, though it is discouraged, may abstain from voting.
 2. An abstention has same the effect as if the member voted on the prevailing side.
- D. Recusal. (To disqualify oneself from participation in debate and voting on grounds such as prejudice or personal involvement)
 1. Councilmembers may recuse themselves for cause by publicly stating the reason for their disqualification. When a Councilmember recuses themselves from voting on a particular item, said Councilmember shall not remain in their seat nor, if it is a virtual meeting, appear via the electronic platform during the debate and vote on such item. The Councilmember shall step down and take a seat in the audience, leave the Council Chamber, or turn off their video during a virtual meeting. A Councilmember recusing themselves shall not be counted for purposes of the quorum and shall be considered absent for the purpose of determining the outcome of any vote on such item.
 2. If a Councilmember is requested to recuse themselves with respect to an item by another member, a party to the current matter, or anyone else who may be affected by a decision relating to the item, the member must decide whether to recuse themselves. If the Councilmember contends that there is no clearly disqualifying conflict of interest, the matter of disqualification shall be decided by the Town Attorney.

Section XII. Consent Calendar.

The consent calendar shall contain any and all items staff determines are routine and do not require debate or discussion. This includes minutes, disbursements, special event requests, bid awards, contracts for projects previously authorized, and the like. All contracts shall, before presentation to Town Council, have been approved as to form and legality by the Town Attorney. The Mayor or any Town Councilmember may pull an item off of the consent calendar to be considered individually.

Section XIII. Ordinances.

Where the particular ordinance has been prepared in advance.

- A. On first reading, an ordinance shall be accompanied by a staff report.
- B. All readings of ordinances may be made by title only. Upon completion of the appropriate reading by the Town Attorney, the Town Council may, by majority vote, make any changes or amendments it desires.
- C. Upon second or third reading, if the ordinance is substantially or materially changed at the time of second or third reading, the reading must be considered a first reading. No staff report is required for second or third reading.
- D. Following the third reading, and at least ten (10) days after the first reading, except for emergency ordinances, upon motion made and seconded, the ordinance is adopted if there are at least three (3) affirmative votes.
- E. Ordinances shall become effective pursuant to Title 15 of the Wyoming Statutes.
- F. It is the duty of the Town Clerk to publish ordinances pursuant to Title 15 of the Wyoming Statutes.
- G. Emergency ordinances may be read by short title; require $\frac{3}{4}$ of the qualified members of the governing body or four (4) affirmative votes for passage; require only one reading; and become effective immediately upon adoption. They may be declared void if no true emergency existed. No franchise may be granted by emergency ordinance.
- H. All ordinances shall, before presentation to the Town Council, have been approved as to form and legality by the Town Attorney.

Section XIV. Resolutions.

- A. Where the particular resolution has been prepared in advance, the procedure is:
 - 1. Resolution title is read by the Mayor.
 - 2. Town Council questions of staff.
 - 3. Mayor asks for public comment.

4. Mayor asks for a motion and second.
 5. Town Council discussion.
 6. Mayor calls for the vote.
- B. It is not necessary to read in full, as long as the resolution is sufficiently identified. However, any Councilmember may demand that it be read in full. All resolutions shall, before presentation to the Town Council, have been approved as to form and legality, by the Town Attorney.

Section XV. Town Council Minutes.

The minutes are the responsibility of the Town Clerk until presented to the Town Council for approval; the Town Council may, at the time of presentation for approval, by motion make such corrections as conform to fact. The minutes shall be published pursuant to Wyoming Statutes.

Minutes of executive sessions are the responsibility of the Town Attorney. If the Town Attorney is not present at an executive session, the Mayor shall take minutes or delegate the task to a Councilmember.

Section XVI. Order of Business.

The order of business for regular meetings held at 6:00 PM on the first and third Monday of each month shall be:

- A. Opening
 1. Call to Order.
 2. Pledge of Allegiance.
 3. Roll call.
 4. Announcements and Proclamations.
- B. Public Comment (public comment is reserved for questions and comments from the public on items that are not otherwise included in the agenda)
- C. Consent Calendar
 1. Minutes.
 2. Disbursements.
 3. Additional items deemed appropriate by staff or the Mayor.
- D. Public Hearings, Discussion and/or Possible Action Items
- E. Resolutions
- F. Ordinances
- G. Matters from Mayor and Council
- H. Matters from the Town Manager

I. Adjournment

The regular order of business may be suspended at any time by the Mayor or by a majority vote of Council present. The order of business for meetings, other than regular meetings, shall be determined by the Town Clerk, with input from the Mayor, Town Manager, or their designees.

Section XVII. Agendas and Packets for Meetings.

- A. Regular Meetings. Agendas and packets for regular meetings shall be prepared by the Town Clerk. Agendas for regular meetings shall be closed at 12:00 P.M. on the Wednesday preceding the meeting. The agenda shall be finalized by the Town Clerk with input from the Mayor and Town Manager, or their designees.
- B. The Mayor may add or remove items from the upcoming agenda presented by staff for a regular meeting except for:
 - 1. General order of business items in Section XVI.A (ex: call to order, approval of minutes, etc.); or
 - 2. Statutorily required items or public hearings (ex: required public hearings for liquor licenses); or
 - 3. Items required by the Municipal Code or Land Development Regulations (ex: Conditional Use Permits, Final Plats, Annexation Public Hearings, Liquor License Public Hearings, etc.); or
 - 4. Items listed under Matters from Mayor and Council requested by the Mayor or Councilmembers before 12:00pm on the fifth day prior to the regular meeting and provided to the Town Clerk.
- C. Items on the agenda of a 6:00 PM regular meeting may include the following:
 - 1. Announcements. Announcements do not need to be accompanied by a staff report. Announcements notify the public of upcoming meetings, schedule changes, new employee introductions, office closings, and the like. Announcements do not require Town Council action and can be recommended for addition to the agenda by the Mayor or any Councilmember or staff member.
 - 2. Proclamations. Proclamations do not need to be accompanied by a staff report. Proclamations notify the public of community-wide events, such as burn week, or of issues of community significance such as commendations, remembrances, and the like. Proclamations do not require Town Council action and can be recommended for addition to the agenda by the Mayor, a majority of Council, or the Town Manager or their designee.
 - 3. Public Comment. This item on the agenda is reserved for questions and comments from the public on items that are not already included on the agenda. If prior notification has been given that a citizen intends to speak under Public Comment, their name shall be so listed on the agenda. If documents are provided prior to finalization of the Town Council packet, those items shall be included in the packet.
 - 4. Consent Calendar. See Section XII.

5. Public Hearings, Discussion, and/or Possible Action Items. Items in this section shall be accompanied by a staff report. This section of the agenda is for public hearings, administrative items, departmental action items, contracts, public infrastructure project authorizations, and the like.
6. Resolutions. Resolutions may be accompanied by a staff report. Resolutions are related to policy matters, budget adoption or amendment, elected official commendations, schedule amendments, and the like. Resolutions may amend the Municipal Code if an ordinance allows amendment by resolution. Resolution numbers are designated by the Town Clerk.
7. Ordinances. See Section XIII.
8. Matters from Mayor and Council. Items listed in this section of the agenda may be presented by the Mayor or any Councilmember and may be accompanied by a staff report. Staff may also present items for Council consideration in this section with the Mayor's authorization. This section of the agenda is utilized for items and actions including, but not limited to:
 - a. Travel authorizations.
 - i. Action for pre-approval of travel authorization and expenditure for Councilmembers to attend specific conferences.
 - ii. Travel authorizations may be accompanied by a staff report.
 - b. Designation of meeting delegates.
 - i. Action for approval of a voting delegate(s) for upcoming meetings/conventions.
 - ii. A staff report is optional for this item.
 - c. Board appointments.
 - i. Action for board member appointments pursuant to applicable legal procedure.
 - ii. Board appointments may be accompanied by a staff report stating, the board at issue, the qualifications for appointment, that the candidates meet the qualifications, the term(s), and the candidates for the appointment.
 - d. Announcements regarding Councilmember out of office plans.
 - i. Action to announce when the Mayor or a Councilmember plans to be unavailable for meetings or communication.
 - ii. No staff report is provided with this item.
 - e. Future meeting date/time setting.
 - i. Action to either announce a selected meeting date/time by general consent or to approve a motion to set a specific meeting date/time.
 - ii. A staff report is optional for this item.
 - f. Items listed by a Councilmember.

- i. Action to place the requested item on an agenda in the next 45 days. The motion is made after the requesting Councilmember provides a brief summary about the item (3 minutes).
 - 1) If the motion fails, the item is added to the Potential Initiative List (PI List) for consideration at the next Council retreat.
 - 2) If the motion passes, at that future meeting, staff will present a staff report with information and a recommendation to the Council so that a determination can be made whether to:
 - (a) Make it one of the Council's Priorities and add it to a specific Department's Work Plan, and
 - (b) Determine what item, in turn, would be removed from the Council's Priority List, and
 - (c) Determine what item would be removed or delayed in the Work Plan for the specific Department,
 - OR
 - (d) To add the item to the PI List for consideration at the next Town Council retreat.
 - 3) No staff report is provided with this item.
 - g. Town Council members may announce an item they wish to be added to the PI List for consideration at the next Town Council retreat and provide a brief summary, no more than three (3) minutes, of the item. The item shall then be added to the PI List by staff.
- 9. Matters from the Town Manager. This section of the agenda is for the Town Manager to report to the Council on the various activities of note of Town government operations and to notify the Council of upcoming meetings and scheduling. Items contained in the Town Manager's report may include issues recommended for affirmative Council action and the Mayor may take public comment. Upon presentation of the Town Manager's report, the Council moves to approve the Town Manager's report.
- D. Special or Regular 3:00 PM Meetings. Agendas and packets shall be prepared for these meetings by the Town Clerk. Agendas shall be closed on the date so determined by the Town Clerk with input from the Mayor and Town Manager, or their designees. The agenda shall be finalized by the Town Clerk with input from the Mayor and Town Manager, or their designees. Items on these meeting agendas may include the following:
 - 1. Discussion and/or Action Items. These matters may require detailed discussion in an informal setting between Town Council and Town Staff, Town Council and other appointed boards, Town Council and citizen groups, or Town Council and individual applicants requesting Town Council action. Matters before the Town Council at a special or regular 3:00 PM meeting may be items requiring additional time for review of details or requests, draft ordinances for discussion purposes, complex public infrastructure projects, or items Town Staff is desirous of feedback on prior to placement on a regular

meeting agenda for action. Public comment may or may not be taken on these items and is dependent upon statutory or municipal code requirements or whether public comment has already been taken on the item previously or is planned for a date in the future.

2. Set Next Workshop Agenda. Town Staff shall recommend to the Town Council a proposed listing of items to be placed on upcoming workshop agendas. Changes to the listing of items may be made by the Mayor or a majority vote of the Town Council.

- E. General. Agendas and packets for meetings shall be produced by the Town Clerk and distributed/posted to members of the Council and the public on a timeline established by the Town Manager or their designee with input from the Mayor, or their designee.

Section XVIII. Town Council Board and Committee Liaisons.

- A. The Council may appoint individual members to liaise with various boards and committees throughout the community.
- B. Each January, or as soon thereafter as the Council deems appropriate, the Council shall review the list of board and committee liaisons and make changes as they deem necessary. The liaison appointments shall be by majority vote the Council and shall remain valid until changed.
- C. Council liaisons primary role is that of facilitator of communications from the relevant board or committee to the Council. As a liaison, Councilmembers should not be an advocate for the board or committee for whom they liaise, give direction, or influence a decision of that board or committee. Rather, as a liaison, Councilmembers:
 1. Assist and provide information to the board or committee; and
 2. Act as a spokesperson on behalf of the Council when so directed by the Council when seated as a body; and
 3. Act as a contact person, if the board or committee, or an individual member thereof, wants such a channel of communication.
- D. A Councilmember who is appointed to sit as a member of a board, commission, or committee is not a liaison.
- E. Attendance is discretionary, however, despite attendance not being required, it is strongly encouraged.

Section XIX. Town Staff Reports.

The Town Manager shall approve all staff reports prior to placement in the packet for any Council meeting as they deem necessary. Town Staff reports shall be prepared in a format deemed appropriate by the Town Manager.

Section XX. Town Attorney.

The Town Attorney is retained to provide legal advice and assistance to the Council, staff, boards, and other bodies deemed appropriate by Council. Individual Councilmembers shall first obtain authorization from the Town Council prior to requesting the Town Attorney undertake research, legal work, or prepare resolutions and ordinances. In matters of extreme urgency, Councilmembers shall first obtain authorization from the Mayor for the same. Staff members shall first obtain authorization from their department director, or, if their department director is unavailable, the Town Manager, prior to requesting the Town Attorney undertake research or legal work.

Section XXI. Research for Members of the Town Council.

Individual Councilmembers shall refrain from requesting opinions or research from staff and shall direct all inquiries and requests through the Town Manager, or their designee.

Section XXII. Official Correspondence from the Mayor or Members of the Town Council

The Mayor shall be designated and authorized to represent the Town Council and author letters on issues supported by a vote of the Town Council. Individual Councilmembers shall refrain from using their position as a Councilmember to send official letters on Town letterhead in support of or in opposition to issues without a vote of approval from the Town Council. The Mayor or any Councilmember may author personal letters of reference to individuals on Town letterhead so long as those letters do not indicate that they are representing the Town Council as a whole.

Section XXIII. Appointments.

- A. Mayoral Appointments. Mayoral appointments shall follow a procedure as determined by the Mayor. This procedure may involve advertising, accepting letters of interest, interviews by the Mayor, interviews by the Council, interviews by staff, or any other procedure the Mayor deems appropriate. For Mayoral appointments that require the advice and/or consent of the Council, a majority of Council may set a procedure for providing their advice and/or consent and that procedure may involve interviews by the Council, interviews by staff, or any other procedure a majority of Council deems appropriate. Any procedure used by the Council for the advice and/or consent may change at any time by majority vote of the Council.
- B. Majority of Town Council Appointments. Appointments that require a majority vote of the Council shall follow a procedure as determined by majority vote of the Council. This procedure may involve advertising, accepting letters of interest, interviews by the Council, and interviews by staff or any other procedure as the Council deems appropriate. Any procedure set forth by majority vote of the Council may change at any time by another majority vote of the Council.

Section XXIV. Swearing In of New Members.

- A. Upon Election. Pursuant to Wyoming Statutes, the term of office for a person elected at the general municipal election commences the first Monday in January following the general election but before entering their duties, they must be administered the Oath of Office. The Town Clerk

shall arrange a Swearing In Ceremony to be held on the first Monday in January in the morning, prior to any Town Council meetings being called to order.

- B. Upon Appointment. Upon appointment at a regular or special meeting, the Oath of Office shall be administered.

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Rules and Procedures

TOWN COUNCIL Of Town of Jackson, Wyoming

Updated ~~April 2016~~ [XXXX 2021](#)

Pursuant to W.S. § 15-1-106 the governing body shall determine the rules for the conduct of its proceedings.

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Effective ~~March 1, 2010~~XXX 2021

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CHAPTER ~~I~~ONE

GENERAL PROVISIONS

Section ~~1I~~. Adoption of Robert's Rules of Order.

The Town has adopted "Robert's Rules of Order" as its guideline for parliamentary procedure. The rules of parliamentary procedure should be adhered to whenever possible for the proper and orderly conduct of Town Council meetings. Where there is a conflict in procedure between that set forth in the Wyoming Statutes for Municipal Ordinances and that contained in "Robert's Rules of Order", the procedures established by law take precedence.

Section ~~2II~~. Suspension of Rules.

The Town Council has the right to suspend such rules as it has the power to adopt, including any rules contained in "Robert's Rules of Order". When the Town Council acts in violation of such rules as it has the authority to suspend, the rules are deemed suspended thereby and its actions are not invalidated by failure to comply with such rules.

Section ~~3III~~. Precedence of Rules.

The following is a compilation of both applicable parliamentary laws and those parliamentary rules and procedures that have been adopted by this Town Council. Any rules herein, in conflict with "Robert's Rules of Order", shall take precedence and shall be considered as amendments to said "Robert's Rules of Order."

CHAPTER ~~H~~TWO

RULES AND PROCEDURES

Section ~~4~~1. Types of Meetings.

Town Council meetings shall be conducted in person unless the Mayor or a majority of the Town Council determines the meeting shall be held virtually due to safety or security reasons.- A majority of Council may overturn the decision of the Mayor to hold the meeting virtually. Town Council ~~M~~meetings may be of the following kinds:

~~a.A.~~ “Regular meetings” which are set by ordinance and pursuant to Wyo. Stat. Ann. § 16-4-404(a), and held twice monthly in the Council Chambers of the Town Hall located at 150 East Pearl Avenue, at another venue, or virtually as determined by the Mayor or a majority of the Town Council.

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~~b.B.~~ “Special meetings” which may be called as provided by ordinance and pursuant to Wyo. Stat. Ann. § 16-4-404(b) and §15-1-105. -Regular meetings that Town Council workshop meetings and are rescheduled regular meetings are special meetings. -Regular Mmeetings that begin earlier or later than the time set by ordinance are special meetings. Meetings conducted jointly with the Teton County Commission are special meetings. Special meetings may be called by the Mayor or by a majority of the Town Council.

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1. Mayoral Determination. When the Mayor sets a special ~~Town Council~~ meeting, the Town Clerk shall inform all members of the Town Council ~~individually~~ of the details of the meeting and shall proceed with public notification, Town ~~S~~staff notification, and agenda preparation.
2. Majority of the Town Council Determination. When a majority of the Town Council ~~votes agrees to~~ sets a special ~~Town Council~~ meeting, a representative of that majority shall contact the Town Clerk. -The Town Clerk shall then inform all members of the Town Council ~~individually~~ of the details of the meeting and shall proceed with public notification, Town ~~S~~staff notification, and agenda preparation.
3. Town Staff Request. When the Town Manager, or their designee, Town Staff is desirous of conducting a special ~~Town Council~~ meeting, the Town Manager, or their designee, Town Staff member shall contact the Town Clerk. -The Town Clerk shall contact the Mayor to obtain authorization for that meeting. -The Town Clerk shall then inform all members of the Town Council ~~individually~~ of the meeting, and shall proceed with public notification, Town ~~S~~staff notification, and agenda preparation. ~~-If the Mayor is unavailable for the proposed meeting date and time or has no preference regarding the Town Staff proposed meeting date and time, and directs that the meeting should proceed, the Town Clerk shall then contact each member of the Town Council individually to ascertain whether a quorum would exist for the proposed meeting date and time. Upon confirming a receiving quorum for the proposed meeting date and time information from three Councilmembers, the Town Clerk shall then proceed with setting the Sspecial Mmeeting and shall inform all members of the Town Council individually of the details of the meeting and shall proceed with public notification, Town Sstaff notification, and agenda preparation.~~

e. "Executive sessions" may be called as provided by ordinance and pursuant to Wyo. Stat. Ann. § 16-4-405, which are portions of ~~the~~ Special Meetings called by a vote of two-thirds (2/3) of the members present and excluding the public therefrom, when the nature of the business so requires. Prior to recessing or adjourning to executive session, the Town Council must first convene a special meeting.

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d. "Emergency Meetings;" Emergency meeting may be called pursuant to Wyo. Stat. Ann. § 16-4-404(d) on matters of serious immediate concern to take temporary action without notice. Reasonable effort shall be made to offer public notice. All action taken at an emergency meeting is of a temporary nature and in order to become permanent shall be reconsidered and acted upon at an open public meeting within forty-eight (48) hours, excluding weekends and holidays, unless the event constituting the emergency continues to exist after forty-eight (48) hours.

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Section 2II. Notice of Meetings.

No notice of regular meetings is required. Action may be taken on matters before the Town Council at a regular meeting regardless of prior listing on the agenda, unless the matter requires advance notice as per the Jackson Municipal Code or Wyoming Statutes. Noticing is required for special meetings as set forth in Wyo. Stat. Ann. § 16-4-404(b) the Wyoming Statutes. The notice for special meetings shall state the business to be transacted. No other business may be considered at a special meeting.

Section 3III. Quorum.

A majority of the Town Council is sufficient to ~~do~~ conduct business, and motions may be passed 2-1 if only three (3) Councilmembers are present, but ordinances, resolutions granting franchises or licenses and motions concerning the payment of money require at least three (3) affirmative votes. Except for meetings designated as virtual by the Mayor or a majority of the Town Council, Town Council members shall attend meetings in person with the following exceptions:-

A. Town Council members may virtually participate, vote, and be counted for purposes of ~~in the quorum of the Council~~ for no more than three (3) meetings in a one (1) year period, whether regular, special, or emergency meetings without the approval of the Mayor.

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B. The ability for a Councilmember to virtually participate, vote, and be counted in the quorum of the Council beyond the three (3) occurrences in the (1) year period shall be allowed only with the approval of the Mayor for each individual meeting where such a request is made. The ability for staff members to participate virtually shall be allowed only with the approval of the Town Manager for each individual meeting where such a request is made. A Councilmember listening via conference call or via videoconference is not present at the meeting and shall not be counted in roll call, nor may they vote on any matters or take any action before the Town Council. The privilege of listening via audio conference or video conference shall be granted or denied by the Mayor on a case-by-case basis.

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A member who recuses ~~himself~~ themselves from discussion and action on a particular item shall do so by stepping down from the Council desk, ~~or~~ leaving the Council Chambers, or turning off their video during a virtual meeting, and, once they do so, is no longer counted towards a quorum being present.

Section 4IV. Conduct of Regular Meetings Held at 6:00 PM Pursuant to Section 2.04.010 of the Municipal Code.

- A. The Mayor, or in the absence of the Mayor, the Vice Mayor, shall act as chairperson at all meetings.
- B. The powers and duties of the Mayor include moving, seconding, debating, and voting from the Chair.
- C. The Mayor shall introduce each ~~item~~ matter on the agenda, ~~ask for a staff presentation (if applicable), ask for applicant presentation (if applicable), ask for a motion on the matter, take public comment (as appropriate), unless public comment has been taken and closed on the matter at a previous meeting),~~ preside over Council discussion, and call for ~~the~~ a vote on the item, ~~in its proper order, unless a majority of the Town Council orders otherwise. Below are the general procedures schedule to follow for items usually on a 6:00 PM the 6:00PM regular meeting, and s~~ Such ~~procedures~~ schedule may be altered by the Mayor. ~~The procedure to follow for each type of item is as follows:~~

1. Consent Calendar Item ~~Procedure~~

- a. Mayor reads the title of each item on the consent calendar.
- b. Mayor ~~Asks Town Council~~ if any Councilmember would like to there are Items to be W withdrawn ~~any items from the consent calendar.~~
- c. ~~Town Council members~~ states items to be withdrawn, ~~if any or states no items to be withdrawn~~
- d. Public Comment on Consent Calendar
- e. ~~d.~~ Mayor Asks for a Motion to approve all items on the Remainder of the Consent Calendar that were not withdrawn.
- f. ~~e.~~ Motion made and seconded to approve all items on the consent calendar that were not withdrawn, remainder
- f. Mayor asks for Public comment on all items on the consent calendar that were not withdrawn ~~remainder.~~
- g. Vote on all items on the consent calendar that were not withdrawn, remainder
- h. Withdrawn items are read-introduced, discussed, moved, publicly commented on, and voted on by mayor one at a time, individually
- i. ~~Mayor asks for a motion on the individual item~~
- i. Town Council discussion on individual items
- j. Motion and Second to Approve on Individual Items Public comment on individual items
- k. Vote on individual items

2. Public Hearing, Discussion and/or Action Item ~~Procedure~~

- a. Mayor ~~bangs gavel once and~~ opens a public hearing on agenda item and/or, reading the title thereof, as stated on agenda
- b. Presentation by staff.
- c. Town Council questions of staff.
- d. Presentation by applicant.
- e. Town Council questions of applicant.
- b. ~~f.~~ Mayor asks for Public comment. ~~;~~
- e. ~~g.~~ Mayor closes the public hearing
- h. Motion made and seconded regarding the item, to approve town council discussion
- d. ~~;~~
- e. ~~i.~~ motion and second to approve Town Council discussion of the item.

- f. Mayor calls for the ~~V~~vote.
3. ~~Discussion and/or Action Item Procedure~~
- a. ~~Agenda item is read by Mayor~~
 - b. ~~Presentation by ~~T~~Town staff~~
 - c. ~~Town ~~C~~Council questions of ~~t~~Town staff~~
 - d. ~~Presentation by applicant~~
 - e. ~~Town ~~C~~Council questions of applicant~~
 - f. Mayor asks for ~~P~~public comment on the item
 - g. ~~Town Council Discussion~~
 - h. ~~Motion made and ~~S~~seconded regarding the item to Approve (if planning item, discuss and make necessary findings)~~
 - i. Mayor calls for the ~~V~~vote
- 4.3. ~~Resolution Procedure~~
- a. ~~Agenda Item is read by Mayor.~~
 - b. ~~Town Council questions of ~~T~~Town staff.~~
 - c. ~~Public comment.~~
 - d. ~~Town Council Discussion~~
 - e. d. ~~Motion~~ made and Sseconded regarding the item to Approve
 - e. ~~Town Council ~~D~~discussion.~~
 - f. Mayor calls for the ~~V~~vote.
- 5.4. ~~New Ordinance Procedure~~
- a. ~~Agenda Item is Read by Mayor~~
 - b. a. ~~Motion to read~~ all ordinances by short title. ~~Vote~~
 - e. b. ~~Ordinances~~ read by Town Attorney either individually or all consecutively
 - d. c. ~~Town Council questions of ~~T~~Town staff.~~
 - e. d. ~~Public comment.~~
 - e. Motion and Second to Approve.
 - f. ~~Town Council ~~D~~discussion.~~
 - g. Motion and Second to Approve
 - h. g. ~~Mayor calls for the ~~V~~vote.~~
6. ~~Multiple Ordinance 2nd or 3rd Reading~~
- a. ~~Motion to read all Ordinances by Short Title/Vote~~
 - b. ~~Ordinance is read by Town Attorney~~
 - c. ~~Public Comment~~
 - d. ~~Town Council Discussion~~
 - e. ~~Motion and Second to Approve~~
 - f. ~~Vote~~

D. At his/their discretion, the Mayor may allow additional Town Council ~~Q~~questions of ~~Town S~~staff, Town Council ~~Q~~questions of the ~~A~~applicant, and/or ~~P~~public ~~C~~comment at any time he/they deems appropriate.

E. ~~“Robert’s Rules of Order” shall be followed in conducting Council Meetings, unless a majority of the Town Council rules otherwise.~~

F.E. The Chief of Police, or ~~their~~
designated subordinate, shall serve as Sergeant-at-Arms to preserve order in the Chambers
during in-person meetings, ~~as directed by the Mayor~~.

Section V. Conduct of Other Regular or Special Meetings.

The conduct and order of business of ~~R~~regular or ~~S~~special meetings other than those ~~R~~regular meetings held at 6:00 PM shall be determined by the Town Clerk with input from the Mayor, ~~T~~Town Manager, and their designees.~~Assistant Town Manager and Community Development Director.~~

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Section ~~5~~VI. Vice Mayor.

Each January, or whenever the Mayor deems appropriate, pursuant to W.S. §15-1-108(a)(i), the Mayor shall appoint a Councilmember to serve as the Vice Mayor or Mayor Pro-Tem. In the absence of the Mayor, the Vice Mayor shall preside at all meetings of the governing body and/or perform other Mayoral duties as requested.

Section ~~6~~VII. Rules of Debate.

- A. In obtaining the floor, every Councilmember shall first address the Mayor, gain recognition by the Mayor, and shall confine himself or herself~~themselves~~ to the question under debate,~~avoiding personalities and indecorous language.~~
- B. ~~Members of the Town S~~Staff members, after recognition by ~~the~~ Mayor, shall hold the floor until completion of their remarks or until recognition is withdrawn by the Mayor.
- C. No Councilmember shall ~~be allowed to~~ speak more than once upon any particular subject item until every other Councilmember desiring to speak upon the subject item ~~has do so shall have~~ spoken. No Councilmember shall ~~be allowed to~~ speak longer than five (5) minutes the first time, or three (3) minutes the second or subsequent times, on any one particular subject item, except by majority vote of the Town Council. No Councilmember shall ~~be allowed to~~ speak more than three (3) times on the subject item without the express consent of the Mayor.

Section ~~7~~VIII. Addressing the Town Council.

- A. Each person desiring to address the Town Council either under the ~~P~~public ~~C~~comment section or under the public comment period for a particular item shall, ~~whether via a virtual platform or the approach the~~ lectern in ~~person, state his or her~~their full name and address for the record; state the subject ~~he or she~~they wishes to discuss; state whom ~~they~~he or she ~~is~~are representing, if ~~he or she~~they represents an organization or other person(s); and, unless further time is granted by majority vote of the Town Council or the Mayor, ~~shall limit his~~their remarks to three (3) minutes.
- B. Public comment made by phone, video, or any other form of electronic communication, in a non-virtual meeting shall not be permitted with the exception of applicant or consultant presentations ~~or and~~ interviews for advisory or joint powers boards, as approved in advance of the meeting by the Mayor or Town Manager.
- C. All remarks shall be addressed to the Town Council as a body~~whole~~ and not to any individual member thereof.
- D. No question shall be asked of a Councilmember or a member of the ~~Town S~~Staff without the permission of the Mayor. After permission of the Mayor, a question may be asked, but neither ~~Town S~~Staff nor the Councilmember to whom the question is directed shall answer the question during the public comment period.
- E. In order to expedite matters and ~~to~~ avoid repetitious presentations, whenever any group of persons wishes to address the Town Council on the same subject matter, it shall be proper for the Mayor

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to request that a spokesperson be chosen by the group to address the Town Council and, in case additional matters are to be presented by any other member of said group, to limit the number of such persons addressing the Town Council.

Section 8IX. Rules of Decorum.

- A. While the Town Council is in session, ~~the Council~~ members must preserve order and decorum. ~~No, and a Council member, shall neither~~ by conversation or otherwise, ~~shall~~ delay ~~nor~~ interrupt the proceedings, ~~disturb~~ of the ~~peace order~~ of the Town Council, ~~nor disturb~~ interrupt any ~~Council member~~ while speaking, ~~nor~~ refuse to obey the orders of the Mayor. ~~Members of the Town Council shall not leave their seats during a meeting without first obtaining the permission of the Mayor.~~
- B. ~~Members of the Town Staff and employees~~ shall observe the same rules of order and decorum as are applicable to the Town Council, ~~with the exception that members of the Town Staff may leave their seats during a meeting without first obtaining the permission of the Mayor.~~
- C. Any person making impertinent, slanderous, or profane remarks or who becomes boisterous while addressing the Town Council shall be called to order by the Mayor and, if such conduct continues, may at the discretion of the Mayor be ordered barred from further audience before the Town Council during that meeting.
- D. Any person in the audience who engages in ~~criminal disorderly~~ conduct as defined in the Jackson Municipal Code ~~by loud or unnecessary talking, hallooing, or by any threatening, abusive, profane, or obscene language, or violent actions,~~ or, by any ~~other~~ rude behavior, interrupts, molests, or disturbs a Town Council Meeting, upon instructions from the Mayor, ~~it shall be the duty of the Chief of Police or his designee to may be removed any such person from the meeting by the Chief of Police, or their designee Sergeant-at-Arms, or by appropriate staff managing the virtual meeting Council Chamber and charge that person with Disturbing Meetings as provided for in 9.40.010 of the Jackson Municipal Code~~
- E. Matters before the Town Council in a meeting will normally be handled in one of the following manners:
 - 1. Acted upon.
 - 2. Placed under Matters from Mayor and ~~Town~~ Council for action later on in the meeting.
 - 3. ~~Received and~~ referred to Town ~~S~~ staff for further research and ~~presentation a recommendation for~~ at a future meeting.
 - 4. Received and filed without action.
 - 5. Continued, pending further consideration or the receipt of ~~information to/by staff a report.~~
 - 6. Referred to the Town Manager for placement on an upcoming meeting.
 - 7. ~~Tabled.~~

Section 9X. Motions.

A. ~~The process of motions is that w~~When a motion is made and seconded, it ~~shall may~~ be stated by the Mayor or the Town Clerk before ~~a vote on said motion is taken.~~ ~~Any Council-member may ask that a motion be restated or displayed on screen for clarity prior to voting. Restatement of the motion may be by the Mayor or delegated to any Councilmember or staff personmember.may be deferred to the maker of the motion or the Town Clerk.~~

~~A.B.~~ A motion shall not be withdrawn by the mover without the consent of the seconder.

~~B.C.~~ If the question contains two or more divisible~~conable~~ propositions, the Mayor may, and upon the request of a Councilmember, shall, divide the same.

D. ~~b.~~ No motion is before the Town Council until it has been seconded.

~~c.~~ ~~The precedence of motions is w~~When a motion is before the Town Council, no other motion shall be entertained except:

1. To adjourn.
2. To fix the hour of adjournment.
3. To lay on the table (postpone indefinitely).
4. For the previous question (to vote immediately).
5. To postponetable to a certain day,
6. To refer (to a committee or a member of the ~~Town S~~staff for report).
7. To amend or to substitute another motion.
8. To refer to the Town Manager for placement on a future meeting agenda.

These motions have precedence in the order indicated. The first four (4) motions are not debatable, though it is always permissible to raise a point of order on the proper use of any motion and it is also permissible in order to appeal ~~from the decision on~~ the point of order. Once an item of business has been disposed of, it is not available for further debate except upon a motion and majority vote to reconsider pursuant to subsection G hereof.

E. Friendly Amendments. ~~A Council-member may offer a friendly amendment to a motion that has already been made and seconded. If the motion maker and the second accept the request for the friendly amendment, the motion is thereby deemed amended and, when the Mayor calls for the vote, the vote is on the motion as friendly-amended.~~

G.F. ~~Reconsideration.~~ A Councilmember may make a motion to reconsider the vote on a particular item to permit correction of hasty, ill-advised, or erroneous action; or to take into account added information; or to address a changed situation that has developed since the taking of the vote. Because of the investment made by members of the public to attend specific Council meetings to hear entire presentations and debate, to make public comments, and hear the vote on a particular item, motions to reconsider are strongly discouraged.

1. A motion to reconsider shall occur either at the same meeting where the original vote was taken, or at the next regular or special ~~Town Council~~ meeting; prior to the approval of the minutes of the meeting during which the original vote was taken.
2. A motion to reconsider must be made by a Councilmember who voted on the prevailing side.
3. A motion to reconsider can ~~then~~ be acted upon immediately or it can be delayed until a future Town Council meeting.

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4. ~~If the motion to reconsider will be acted on immediately:~~ **Action:**
 - a. ~~Debate, a motion, and a vote can then occur~~ as to whether ~~there is added information, a changed situation, whether a Councilmember felt they made a hasty decision, etc.~~ the conditions of Section X.G.1. have been met.
 - b. If the ~~motion~~ **vote** to reconsider is successful, the item is then before the Town Council for action pursuant to the **original** ~~motion as stated previously at the previous meeting~~. Additional information can then be presented and discussed. The vote on the original motion is then called for and taken.
 - c. ~~The minutes reflect the original action and the reconsideration of the previous meeting are then approved as amended to include the reconsideration and outcome.~~
 - d. ~~If the vote to reconsider fails, the minutes reflect said failure for the previous meeting are then approved as presented and the meeting continues.~~
5. ~~If the reconsideration will occur at a future meeting:~~ **Delayed Action:**
 - a. The Mayor directs the Town Clerk to place the reconsideration item as the first action item on the next agenda and to place the minutes of the previous meeting as the ~~first item immediately following reconsideration~~ **next action item after the item in question**.
 - b. Public notice **for the subsequent meeting includes that is then given that** the Council intends to reconsider the ~~outcome~~ **vote on** ~~of the previous vote taken on~~ the item in question.
 - c. At the subsequent meeting, **debate, a motion, and a vote occurs as to whether the conditions of Section X.G.1. have been met.** ~~the motion to reconsider is Called Up by the Mayor. Debate can then occur as to whether there is added information, a changed situation, whether a Councilmember felt they made a hasty decision, etc.,~~
 - d. If the ~~motion~~ **vote** to reconsider is successful, the motion before the Town Council is the same as it was stated in the original meeting. Additional information can then be presented and discussed, amendments to the original motion can be made, and a vote taken.
 - e. The minutes of the previous meeting are then approved as amended to include the reconsideration and outcome.
 - f. If the vote to reconsider fails, the minutes of the previous meeting are approved as presented and the meeting continues.

Section 40XI. Voting.

On the passage of every motion, the vote shall be taken and entered in the record by the Town Clerk.

- A. Every Councilmember should vote unless disqualified by a conflict of interest.
- B. The failure of a Councilmember to voice ~~his or her~~ **their** vote will be considered as ~~his or her~~ **their** having cast an affirmative vote on the motion.
- C. Abstention. (To refrain from voting)
 1. ~~Councilmembers may abstain from voting as they cannot be compelled to vote. An abstention on a motion based on a conflict of interest is appropriate and expected. Abstention on a motion in the affirmative, where no conflict of interest exists, is discouraged and has the same effect as a negative vote. While it is the duty of every member~~

who has an opinion on the question to express it by their vote, one cannot be compelled to do so. A Councilmember, though it is discouraged, may abstain from voting.

- 1-2. An abstention has same the effect as if the member voted on the prevailing side
2. Councilmembers abstaining from a vote due to a conflict of interest shall not participate in the debate on that matter prior to the vote being taken.
3. Councilmembers abstaining from debate and voting on a motion due to a conflict of interest may briefly state their reason for the abstention prior to debate occurring.

D. Recusal. (To disqualify oneself from participation in debate and voting on grounds such as prejudice or personal involvement)

1. Councilmembers may recuse themselves for cause by publicly stating the reason for their disqualification. When it has been determined that a Councilmember has cause for recusing himself or herself themselves from voting on a particular matter item then before the Town Council, said Councilmember shall not remain in his or her their seat nor, if it is a virtual meeting, appear via the electronic platform during the debate and vote on such matter item. The Councilmember, but shall request and be given permission of the Mayor to step down from the Council Table and either take a seat in the audience, or leave the Council Chamber, or turn off their video monitor during a virtual meeting. —A Councilmember recusing himself or herself themselves shall not be counted for purposes of a part of a the quorum and shall be considered absent for the purpose of determining the outcome of any vote on such matter item. Stepping down from the Town Council for an item shall be so noted in the minutes of that meeting.
2. If a Councilmember is requested to recuse themselves with respect to an item-matter by another member, a party to the current matter, or anyone else who may be affected by a decision relating to the matter item, the member must decide whether to recuse themselves. If the Councilmember If the Mayor or a Councilmember contends that there is no clearly disqualifying conflict of interest, the matter of disqualification shall be decided by the Town Attorney.

Section 12XII. Consent Calendar.

The consent calendar shall contain any and all items ~~Town Staff~~ for the Town Council believes determines are routine and ~~appear to be lacking the need for~~ do not require debate or discussion. This includes minutes, disbursements, special event requests, bid awards, contracts for projects previously authorized, and the like. All contracts shall, before presentation to Town Council, have been approved as to form and legality by the Town Attorney. The Mayor or any Town Councilmember may pull an item off of the consent calendar to be considered individually.

Section 12XIII. Ordinances.

Where the particular ordinance has been prepared in advance.

- A. On first reading, an ordinance shall be accompanied by a ~~Town Staff~~ report.
- B. ~~Upon unanimous vote, a~~ All readings of ordinances may be made by title only. ~~Otherwise it must be read in full.~~ Upon completion of the appropriate reading by the Town Attorney, the Town Council may, by majority vote, make any changes or amendments it desires.
- C. Upon second or third reading, ~~if~~ the ordinance is substantially or materially changed at the time of second or third reading this time, the reading must be considered a first reading. No ~~Town Staff~~ report is required for second or third reading.
- ~~D. Upon third reading, if the ordinance is changed at this time, the reading must be considered a first reading. No Town Staff report is required for third reading.~~
- ~~E.D.~~ Following the third reading, and at least ten (10) days after the first reading, except for emergency ordinances, upon motion made and seconded, the ordinance is adopted if there are at least three (3) affirmative votes.
- ~~F.E.~~ Ordinances shall become effective pursuant to Title 15 of the Wyoming Statutes.
- ~~G.F.~~ It is the duty of the Town Clerk to publish ordinances pursuant to Title 15 of the Wyoming Statutes. ~~Ordinances shall be published between 2nd and 3rd reading so that they become effective upon 3rd reading except for charter ordinances, ordinances related to annexation, or any other ordinance as directed by the Town Attorney.~~
- ~~H.G.~~ Emergency ordinances may be read by short title; require $\frac{3}{4}$ of the qualified members of the governing body or four (4) affirmative votes for passage; require only one reading; and become effective immediately upon adoption. They may be declared void if no true emergency existed. No franchise may be granted by emergency ordinance.
- ~~I.H.~~ All ordinances shall, before presentation to the Town Council, have been approved as to form and legality, by the Town Attorney.

Section 12XIV. Resolutions.

- A. Where the particular resolution has been prepared in advance, the procedure is:
 - 1. Resolution title is read by the Mayor.

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2. -Town Council questions of ~~Town Staff~~;

3. Mayor asks for ~~Public Comment~~;

4. Mayor asks for a ~~Motion and Second~~;

5. Town Council discussion, ~~Motion, second~~;

6. Mayor calls for the vote.

It is not necessary to read in full, as long as the resolution is sufficiently identified. However, any Councilmember may demand that it be read in full. ~~Resolutions shall be published in full in the text of the minutes and do not require separate publishing.~~

~~A-C.~~ All resolutions shall, before presentation to the Town Council, have been approved as to form and legality, by the Town Attorney.

Section ~~14~~XV. Town Council Minutes.

The minutes are the responsibility of the Town Clerk until presented to the Town Council for approval; the Town Council may at the time of presentation for approval, then, by motion make such corrections as conform to fact. The minutes shall be published pursuant to Wyoming Statutes.

Minutes of executive sessions are the responsibility of the Town Attorney. If the Town Attorney is not present at an executive session, the Mayor shall take minutes or delegate the task to a Councilmember.

Section ~~15~~XVI. Order of Business.

The order of business for regular meetings held at 6:00 PM on the first and third Monday of each month ~~regular order of business for regular meetings~~ shall be:

- A. Opening
 - 1.Call to Order
 - 2.Pledge of Allegiance
 - 3.Roll call
 - 4.Announcements and Proclamations
- B. Public Comment (public comment is reserved for questions and comments from the public on items that are not otherwise included in the agenda)
- C. Consent Calendar
 - 1.Minutes
 - 2.Disbursements
 - 2-3. Additional items deemed appropriate by staff or the Mayor
- D. Public Hearings, Discussion and/or Possible Action Items
- E. Resolutions
- F. Ordinances
- G. Matters from Mayor and ~~Town~~ Council
- H. Matters from the Town Manager
- I. Adjournment

The regular order of business may be suspended at any time by the Mayor or by a majority vote of ~~a quorum of the Town Council present, in order to take up a matter on the agenda out of its regular order.~~ The order of business for meetings, other than regular meetings, shall be determined by the Town Clerk,

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with input from the Mayor, Town Manager, or their designees, based on the anticipated needs of the Town Council.

Section 16XVII. Agendas and Packets for Meetings.

A. Regular Meetings. Agendas and Ppackets for regular meetings shall be prepared by the Town Clerk. Agendas for regular meetings shall be closed at 102:00 A.P.M. on the WednesdayThursday preceding the meeting. The agenda shall be finalized by the Town Clerk with input from the Town Manager and the Mayor and; Town Manager, or their designees.

B. The Mayor may add or remove items from the upcoming agenda presented by staff for a 6:00 PM regular meeting except for:

1. General order of business items in Section XVI.A (ex: call to order, approval of minutes, etc.); or
2. Statutorily required items or public hearings (ex: required public hearings for liquor licenses); or
3. Items required included in a procedural timeline established inby the Municipal Code or Land Development Regulations (ex: Conditional Use Permits, Final Plats, Annexation Public Hearings, Liquor License Public Hearings, etc.); or
4. Items listed under Matters from Mayor and Council #requested by the Mayor or Councilmembers at or before 12:00pm on the fifth day prior to the regular meeting and provided in title to the Town Clerk by members of the Town Council to be listed under Matters from Mayor and Council prior to 12pm 5 days prior to the regular meeting.

A.C. Matters-Items on a the agenda of a 6:00 PM regular meetings held at on the first and third Monday of each month meeting agenda are comprised ofmay include the following:

1. Announcements. Announcements do not need to be accompanied by a Town Sstaff report. Announcements notify the public of upcoming meetings, schedule changes, new employee introductions, office closings, and the like. Announcements do not require Town Council action and can be recommended for addition to the agenda by the Mayor or any Councilmember or Town Sstaff member.
2. Proclamations. Proclamations do not need to be accompanied by a Town Sstaff report. Proclamations notify the public of community-wide events, such as burn week, or of issues of community significance such as commendations, remembrances, and the like. Proclamations do not require Town Council action and can be recommended for addition to the agenda by the Mayor, a majority of Council, any Councilmember or Town the Town Manager or their designee Sstaff member.
3. Public Comment. This item on the agenda is reserved for questions and comments from the public on items that are not otherwise already included on the agenda. If prior notification has been given that a citizen intends to speak under Public Comment, their name shall be so listed on the agenda. If documents are provided prior to finalization of the Town Council packet, those items shall be included in the packet.
4. Consent Calendar. See Section XII.The consent calendar shall contain any and all items Town Staff or the Town Council believes are routine and appear to be lacking the need for debate or discussion. This includes minutes, disbursements, special event requests, bid awards and the like. Any item on the consent calendar other than minutes, disbursements or the Municipal Court Report shall be accompanied by a Town Staff report.

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5. Public Hearings, Discussion, and/or Possible Action Items. Items in this section shall be accompanied by a ~~Town Staff~~ report. This section of the agenda is for ~~liquor license~~ public hearings ~~and action, planning items~~, administrative items, departmental action items, contracts, ~~easements~~, public infrastructure project authorizations, and the like. ~~All contracts, prior to presentation to Town Council shall have been approved as to form and legality by the Town Attorney.~~
6. Resolutions. Resolutions ~~shall may~~ be accompanied by a ~~Town Staff~~ report. Resolutions are related to policy matters, budget adoption or amendment, elected official commendations, ~~parking schedule or speed limit~~ schedule amendments, and the like. Resolutions may amend the Municipal Code if ~~the enacting an~~ ordinance allows amendment by resolution. Resolution numbers are designated by the Town Clerk ~~and shall be so numbered as to represent the year of adoption.~~
7. Ordinances. ~~See Section XIII. Ordinances presented for first reading shall be accompanied by a Town Staff report. Ordinances presented for second or third reading do not require a Town Staff report. Ordinances shall be designated with a letter of the alphabet upon first reading and shall retain that letter until passed on third reading. The agenda shall specify which reading is before the Town Council. Upon presentation for third reading, the agenda shall specify the ordinance number to be designated per the Town Clerk. Ordinance readings shall occur at consecutive regular Town Council meetings unless directed otherwise by the Mayor, Town Manager or Town Attorney.~~
8. Matters from Mayor and Town Council. Items listed in this section of the agenda may be presented by the Mayor or any Councilmember and may be accompanied by a staff report. Town Staff may also present items for Town Council consideration in this section with the Mayor's authorization. This section of the agenda is utilized for items and actions including, but not limited to:
 - a. Travel authorizations.
 - i. Action for pre-approval of travel authorization and expenditures for Town Councilmembers to attend specific conferences in advance of the conference.
 - ii. Travel authorizations must may be Aaccompanied by a staff report.
 - b. Designation of meeting delegates to various meetings and conventions.
 - i. Action for approval of a voting delegate(s) for upcoming meetings/conventions.
 - ii. A Sstaff report is optional for this item.
 - c. Board appointments.
 - i. Action for board member appointments pursuant to ,depending on the legalapplicable legal procedure, for the Mayor to appoint a board member and for the Council to act on their advice and consent, or for the majority of Council to appoint a board member.
 - ii. Board appointments must may be Aaccompanied by a staff report stating, at least, designating the board at issue, the qualifications for appointment, that the candidates meet the qualifications, the term(s), and the candidatesnames available for the appointment.
 - d. Announcements regarding Councilmember out of office plans.
 - i. Action to announce when the Mayor or a Councilmember plans to be unavailable for meetings or communication.
 - ii. No staff report is provided with this item.
 - e. Future meeting date/time setting.

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- i. Action to either announce a selected meeting date/time by general consent or to approve a motion to set a specific meeting date/time.
 - ii. A staff report is optional for this item. No staff report.
 - f. Items listed in title by a Councilmember of the Town Council.
 - i. Action to either place the requested item on an agenda in the next 30 days, the motion is made or promote the item to a Council Priority (and added to the Work Plan for a department) taken after is for the requesting Councilmember of Council to provides a brief summary about an the item (3 minutes) and make a motion to place it on an agenda in the next 30 days, to consider promoting the item to be one of the Council's Priorities and have it added to the current year Work Plan for a specific department.
 - 1) If the motion fails, the item is added to the Potential Initiative List (PI List) for consideration at the next Town Council retreat.
 - 2) If the motion passes, at that future meeting, staff will present a staff report with information and a recommendation to the Council so that a determination can be made whether to:
 - a. Make it one of the Council's Priorities and add it to a specific Department's Work Plan, and
 - b. Determine what item, in turn, would be removed from the Council's Priority List, and
 - c. Determine what item would be removed or delayed in the Work Plan for the specific Department.
 - OR
 - d. To add the item to the PI List for consideration at the next Town Council retreat.
 - ii. No staff report is provided with this item.
 - g. Town Council members may announce an item they wish to be added to the PI List for consideration at the next Town Council retreat and provide a brief summary, no more than three (3) minutes of the item. The item shall then be added to the PI List by staff.
8. Items in this section of the agenda can be presented from any member of the Town Council and may or may not be accompanied by a Town Staff report and may or may not be listed on the agenda. This section of the agenda is for travel authorizations, designation of voting delegates to various meetings or conventions, or any item the Town Council may wish to bring up for Town Council consideration or discussion. Town Staff may also present items for Town Council consideration under this section of the agenda with authorization from a member of the Town Council. Town Council requests of Town Staff shall be directed to the Town Manager.
9. Matters from the Town Manager. This section of the agenda is for the Town Manager to report to the Town Council on the various activities of note of Town government operations and to notify the Town Council of upcoming meetings and scheduling. Items contained in the Town Manager's report may include issues recommended for affirmative Town Council action and the Mayor may take public comment. Upon presentation of the Town Manager's report, the Town Council moves to accept approve the Town Manager's report into the public record acts on the acceptance of that report.

B.D. Special or Regular/Workshop 3:00 PM Meetings. Agendas and Packets shall be prepared for these Special/Workshop M meetings by the Town Clerk. Agendas for Special/Workshop

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~~meetings shall be closed at 10:00 A.M. on the Thursday preceding the meeting or on the date so determined by the Town Clerk with input from the Mayor and Town Manager, or their designees. The agenda shall be finalized by the Town Clerk with input from the Mayor and Town Manager, or their designees and the Mayor. Matters/Items on these Special/Workshop meeting agendas are may include comprised of~~ the following:

1. Discussion and/or Action Items. These matters may require detailed discussion in an informal setting between Town Council and Town Staff, Town Council and other appointed boards, Town Council and citizen groups, or Town Council and individual applicants requesting Town Council action. Matters before the Town Council at a special ~~or regular 3:00 PM/workshop~~ meeting may be items requiring additional time for review of details or requests, draft ordinances for discussion purposes, complex public infrastructure projects, or items Town Staff is desirous of feedback on prior to placement on a regular meeting agenda for action. Public comment may or may not be taken on these items and is dependent upon statutory or municipal code requirements or whether public comment has already been taken on the item previously or is planned for a date in the future.
2. Set Next Workshop Agenda. Town Staff shall recommend to the Town Council a proposed listing of ~~matters/items~~ to be placed on upcoming workshop agendas. Changes to the listing of items may be made by the Mayor or a majority vote of the Town Council. The Town Council may add, delete, or rearrange this listing during the meeting by motion and a majority vote. Additional items for upcoming workshops shall be finalized by the Town Clerk with input from the Town Manager and the Mayor.

~~C.E.~~ General.

- ~~1. Items submitted from the public are due to the Town Clerk two (2) weeks prior to the packet deadline for a particular meeting in order to provide Town Staff sufficient time to review the request and prepare a Town Staff report and recommendation to the Town Council.~~
- ~~2.1. Agendas and packets for regular meetings shall be produced by the Town Clerk and distributed/posted to members of the Town Council and the public on a timeline established by the Town Manager or their designee with input from the Mayor, or their designees, by no later than 4 o'clock p.m. on the Thursday preceding the meeting. A hard copy packet shall be provided to each of the five (5) Town Council members, the Town Clerk, the Town Manager and the Town Attorney. An electronic version of the agenda and packet shall be constructed by the Town Clerk and posted on the Town's website no later than 4 o'clock p.m. on the Thursday preceding the meeting. The Town Clerk shall provide e-mail notice of agendas to anyone requesting such notice.~~
- ~~3. Agendas and packets for other meetings, shall be produced by the Town Clerk and distributed to members of the Town Council in the same manner as regular meetings unless the timeframe does not allow it. If the timeframe does not allow sufficient time for such distribution, the Town Clerk shall produce the agenda, packet and provide notice at the next earliest opportunity.~~
- ~~4. Public hearings shall be set by:~~

- ~~a. The Town Council, when the law requires the Town Council to set the hearing.~~
- ~~b. The Town Clerk in all other cases.~~
- ~~c. Unless otherwise ordered by the Town Council or determined by the Town Clerk, public hearings shall normally be scheduled for the first item of business under Public Hearings, Discussion and/or Action Items at regular Town Council meetings.~~

Section 47XVIII. Town Council Board and Committee Liaisons.

- ~~A. The Town Council may appoint individual members to liaise ~~represent the Town Council at~~with various boards ~~meetings~~ and committees ~~meetings~~ throughout the community.~~
- ~~B. Each January, or as soon thereafter as the Town Council deems appropriate, the Town Council shall review the list of board and committee liaisons and make changes as they deem necessary. These liaison appointments shall be by majority vote mutually agreed upon by the Town Council and shall remain valid until changed. Individual Councilmembers serving as a liaison shall not represent themselves as speaking for the Town Council on any matter or in any respect unless directed to do so by majority vote of the Town Council on individual matters as they arise. The Councilmember's role as liaison is to remain informed of the board or committee's issues and be a conduit for information to be relayed back to the Town Council. Depending on the board or committee's bylaws, the Councilmember may be a voting member or may be an ex officio member or may simply attend the meetings to remain informed without actually serving on the board or committee.~~
- ~~C. Council liaisons primary role is that of facilitator of communications from the relevant board or committee to the Council. As a liaison, Councilmembers should not be an advocate for the board or committee for whom they liaise, give direction, or influence a decision of that board or committee. Rather, as a liaison, Councilmembers:~~
 - ~~a. Assist and provide information to the board or committee; and~~
 - ~~b. Act as a spokesperson on behalf of the Council when so directed by the Council when seated as a body; and~~
 - ~~c. Act as a contact person, if the board or committee, or an individual member thereof, wants such a channel of communication.~~
- ~~D. A Councilmember who is appointed to sit as a member of a board, commission, or committee is not a liaison.~~
- ~~E. Attendance is discretionary, however, despite attendance not being required, it is strongly encouraged.~~

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Section 48XIX. Town Staff Reports.

The Town Manager shall approve all ~~Town Staff~~ reports prior to placement in the packet for any Town Council meeting as ~~he they~~ deems necessary. ~~The Town Council may, at its discretion, request a Town Staff Report from the Town Manager on any matters under consideration. The Town Manager may then assign the Town Staff report to any member of Town Staff.~~

- ~~a. Members of the Town Staff may, at their discretion, initiate and submit to the Town Council reports on any matters before the Town Council or any matter deemed important with the Town Manager's~~

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~~approval. These reports may be listed on the agenda, or they may be submitted to the Town Council outside of the agenda at the Town Manager or Town Attorney's discretion.~~

~~b.~~ Town Staff reports shall be prepared in a format deemed appropriate as determined by the Town Manager.

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Section 49XX. Town Attorney.

The Town Attorney is retained to provide legal advice and assistance to the ~~Town~~ Council, staff, Commissions, boards, and the Town Staff, and other bodies deemed appropriate by Council. Individual ~~Council~~members shall of the Town Council wishing to have the Town Attorney undertake any research or the preparation of any resolution or ordinance shall first obtain authorization from the Town Council prior to requesting the Town Attorney undertake research, legal work, or prepare resolutions and ordinances; ~~or, in~~ in matters of extreme ~~emergency~~urgency, Councilmembers shall first obtain authorization from the Mayor for the same. Individual Town-Staff members wishing to have the Town Attorney undertake any research or the preparation of any resolution or ordinance shall first obtain authorization from their Department Director, or, if their department director is unavailable, and in some cases the Town Manager, prior to requesting the Town Attorney undertake research or legal work.

Section 20XXI. Research for Members of the Town Council.

Individual Councilmembers shall refrain from requesting opinions or research from ~~Town Staff~~ and shall direct all inquiries and requests through the Town Manager, or their designee. ~~Individual Councilmembers shall direct all requests through the Town Manager, or the Assistant Town Manager, or the Community Development Director except simple matters related to citizen information requests.~~

Section 21XXII. Official Correspondence from the Mayor or Members of the Town Council

The Mayor shall be designated and authorized to represent the Town Council and author letters on issues supported by a vote of the Town Council. ~~The Mayor shall also be authorized to author letters on behalf of the Town of Jackson organization when a response is appropriate as determined by the Mayor or the Town Manager.~~ Individual Councilmembers shall refrain from using their position as a Councilmember to send official letters on Town letterhead in support of or in opposition to issues without a vote of approval from the Town Council. The Mayor or any Councilmember may author personal letters of reference to individuals on Town letterhead so long as those letters do not indicate that they are representing the Town Council as a whole.

Section 22XXIII. Appointments.

- A. Mayoral Appointments. Mayoral appointments ~~that require the advice and/or consent of the Town Council~~ shall follow a procedure as determined by the Mayor. This procedure may involve advertising, accepting letters of interest, interviews by the Mayor, interviews by the ~~Town Council~~, interviews by ~~Town Staff~~, or any other procedure ~~as the Mayor deems appropriate~~. Any procedures used by the Mayor for the appointment may change at any time with or without notice provided. For Mayoral appointments that require the advice and/or consent of the Council, a majority of Council may set a procedure for providing their advice and/or consent and that procedure may involve interviews by the Council, interviews by staff, or any other procedure a majority of Council deems appropriate. Any procedure used by the Mayor may change at any time with or without notice provided. Any procedure used by the Council for the advice and/or consent may change at any time by majority vote of the Council.
- B. Majority of Town Council Appointments. Appointments that ~~are require~~ a majority vote of the ~~Town Council~~ shall follow a procedure as determined by majority vote of the ~~Town Council~~. This procedure may involve advertising, accepting letters of interest, interviews by the ~~Town Council~~, and interviews by ~~Town Staff~~ or any other procedure as the ~~Town Council~~ deems appropriate. Any procedure set forth by majority vote of the ~~Town Council~~ may change at any time by another majority vote of the ~~Town Council~~.

Section 23XXIV. Swearing In of New Members.

- A. Upon Election. Pursuant to Wyoming Statutes, the term of office for a person elected at the general municipal election commences the first Monday in January following the general election but before entering their duties, they must be administered the Oath of Office. The Town Clerk shall arrange a Swearing In Ceremony to be held on the first Monday in January in the morning, prior to any ~~regular or special~~ Town Council meetings being called to order.
- B. Upon Appointment. Upon appointment at a regular or special meeting, Pursuant to Wyoming Statutes and Jackson Municipal Code, when a vacancy exists in the governing body of a

~~municipality, the Town Council shall appoint an eligible person as successor. A vacancy in the office of Mayor shall only be filled by a member of the governing body. The appointment shall be made at a regular or special meeting of the Town Council and upon appointment, the Oath of Office shall be administered.~~

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STAFF REPORT



Meeting Date:	October 18, 2021	Meeting Title:	Regular Meeting
Submitting Department:	Clerk	Presenter:	Lynsey Lenamond
Agenda Item:	Kampai Holdings Request to Change to Restaurant Liquor License	Public Comment:	Yes

Purpose & Policy Considerations.

Consideration of a request to change Kampai Holdings LLC's eating counter design. The Town Council is the local licensing authority for all liquor licenses within the Town of Jackson and hears requests to alter liquor license conditions.

Requested Action.

To consider Kampai Holdings LLC's request to amend its existing eating counter design.

Recommendations.

Staff recommends approving this request as presented.

Background.

On April 12, 2021, Town Council heard an application from Kampai Holdings LLC for a Restaurant Liquor License. The application was approved; however, the license was not to be issued until construction was complete and a Certificate of Occupancy and a Food Permit were provided.

As part of the original application, as required, the applicant provided details of where their dispensing room would be located. As it was proposed to be behind an eating counter, the Wyoming Liquor Division (WLD) requested that a barrier be put up at the eating counter to 1) keep the appearance of the area from looking like a bar and 2) dissuade servers from handing alcohol over the counter to guests. The barrier may be removed with Council's approval.

WLD Recommendation: In considering the application, the WLD suggested that the barrier not be removed in isolation. Rather, WLD recommended that if the barrier were removed, the location of Kampai's dispensing area also be moved, and WLD included a suggestion of where that dispensing area be moved to (see attachment).

Applicant Request: The applicant is opposed to moving their dispensing area due to the following reasons:

- Layout of the restaurant interior has already been decided on and remodeling has begun based on that layout. Changing design may cause an undue burden to the applicant.
- The applicant will not have any waitstaff under the age of 18, hence there's no chance of an underage staff member entering the dispensing area.
- The applicant is confident that staff training will be intensive and thorough, and therefore staff will not hand alcohol over the eating counter.

Staff Recommendation: Staff notes that a number of other restaurant liquor license holders in Town have layouts with eating counters that do not have barriers on those counters and also have a dispensing area adjacent to the eating counter. Approving this request would not produce a unique situation. Staff recommends approving removal of the barrier without changing the location of the dispensing area.

Analysis.

Wyoming Statutes 12-4-410 (b), Sale of alcoholic beverages for off-premises consumption prohibited; location, regulation and restrictions on dispensing of liquor; prohibiting certain activities, provides as follows:

(b) Alcoholic liquor and malt beverages shall be dispensed and prepared for consumption in the licensed building in areas approved by the local licensing authority. No consumption of alcoholic or malt beverages shall be permitted within the dispensing areas nor shall any person other than employees over eighteen (18) years of age be permitted to enter the dispensing areas.

New state statute eliminates the room requirement and other archaic restrictions for restaurant liquor licenses. Previously, restaurant license holders were still required to have a specific 'room' for dispensing alcohol. New statute removes that requirement. Restaurants no longer need to construct a "room" to have a restaurant liquor license. Local licensing authorities now approve a dispensing "area" and the area must be age restricted to 18 and over. No consumption can take place in this area, meaning a restaurant cannot operate as a bar. This new definition simply removes the requirement to construct a room.

Possible Alternatives.

Council could approve the request as presented.

Council could approve the request with the condition of implementing a change of location of dispensing area as suggested by the WLD.

Council could deny this request.

Comprehensive Plan & Priority Alignment.

This request was processed according to Title 12 of the state statutes, and as related to the Comprehensive Plan Policy 8.1.a. the delivery of quality levels of service to the community and the decisions related to temporary liquor permits also have a direct correlation to the health, safety, and welfare of the community as discussed in Section 8.

Fiscal Impact.

There would be no fiscal impact to approving this request.

Staff Impact.

The Town Clerk's office spent approximately 3-4 hours reviewing this request with the Wyoming Liquor Division, the applicant, and the Legal Department, and preparing the staff report. The Town Attorney spent 1-2 hours on this request and staff report.

Attachments or Links.

Letter of Request from Dan Janjigian

Suggested new dispensing area from the WLD

Suggested Motion. *Council always has the option to adopt, approve with conditions, continue, or deny items.* Motions are stated in the affirmative. Should the Council want to deny the request, staff recommends they make the motion as stated and vote against the motion.

I move to approve the request for an altered design for the food counter than what was presented when the license was issued to Kampai Holdings LLC on April 12, 2021, specifically the 12" barrier on the eating counter may be removed.

August 26, 2021
Addendum to Liquor License Application
Re: Conditions for Approval

To Town Clerk of Jackson and Wyoming Liquor Division,

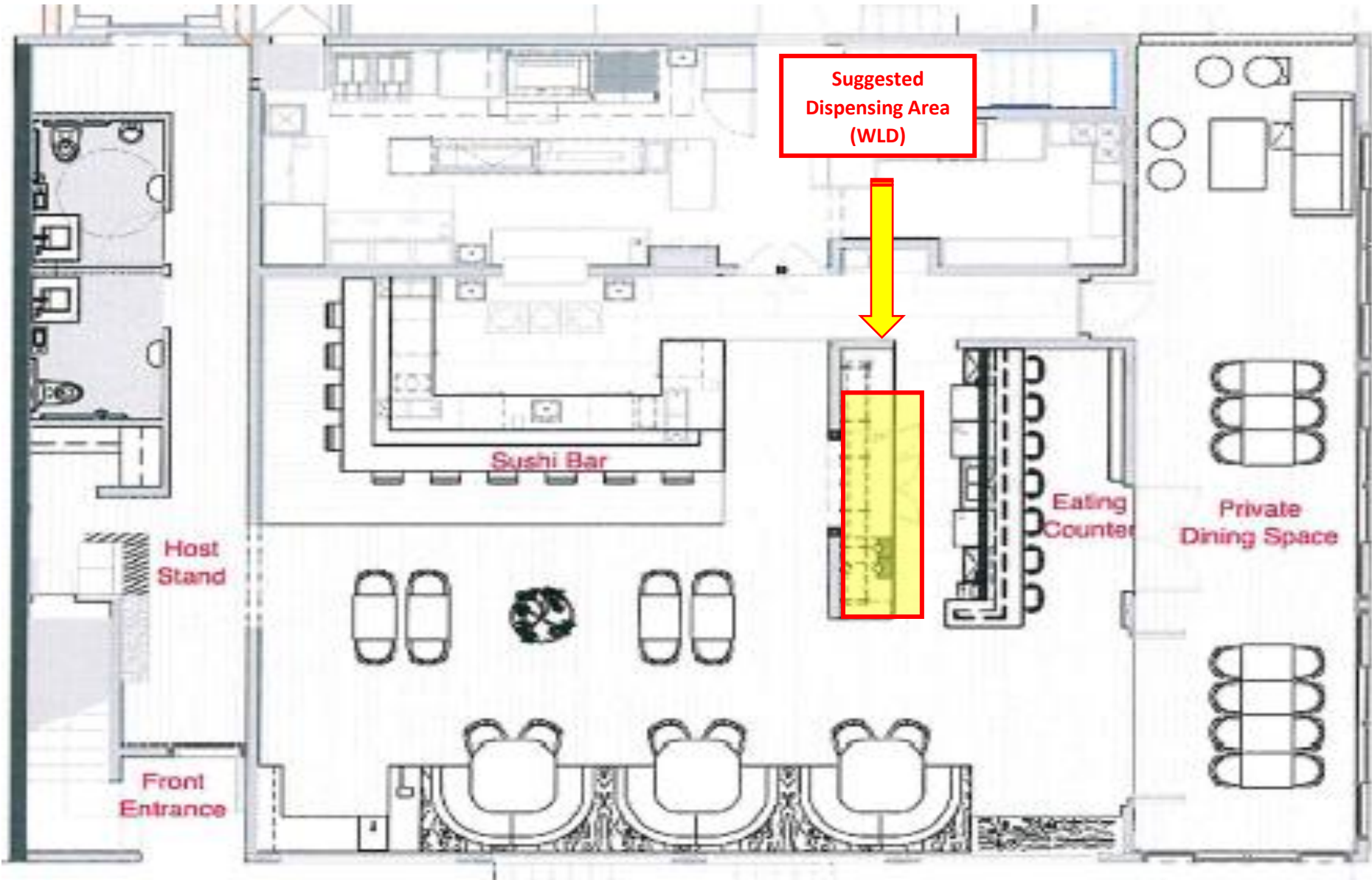
The officers of Kampai Holdings, LLC would like to request that the Wyoming Liquor Division allow a modification of the conditions for licence approval. We request that the stipulation for a barrier on the south side of the bar separating the guests from the servers be removed.

When the Wyoming legislation removed the "pour room" clause as part of HB0013 in 2021, the methodology for how restaurants are supposed to operate became unclear. Prior to this, it seemed prudent to accept the stipulation that there be a barrier to prevent drinks being furnished directly to customers, but in hindsight, that is an undue burden that other businesses are not being held accountable to. For that reason, we would like to have approval to remove that requirement from our conditions for approval on our licence application pending Certificate of Occupancy.

Kampai has every intention to work with and in accordance with the desires of the WLD, and looks forward to your response and moving forward.

Signed

8/29/2021
Daniel Janjigian



STAFF REPORT



Meeting Date:	October 18, 2021	Meeting Title:	Regular Council
Submitting Department:	Town Clerk	Presenter:	Lynsey Lenamond
Agenda Item:	Public Hearing to Transfer Ownership of Retail Liquor License: Teton Gables LLC to Movieworks LLC	Public Comment:	Yes

Purpose & Policy Considerations.

To consider an application for transfer of ownership of a retail liquor license. The Town Council is the local licensing authority for the issuance, renewal, and transfer of all liquor licenses within the Town of Jackson.

It is a statutory requirement for the Mayor to OPEN A PUBLIC HEARING on the transfer of liquor licenses. In accordance with our notice, and per Wyoming Statute, protests will be heard against the transfer during this hearing. Additionally, staff presentation, public comment, and Council discussion will take place during this hearing. The procedure is as follows:

1. Mayor Levinson opens the public hearing.
2. Mayor Levinson asks for the staff presentation on the application.
3. Mayor Levinson calls for any and all public comment.
4. Council discusses the application.
5. Mayor Levinson closes the public hearing.
6. Mayor Levinson calls for a motion on the application and the vote on the motion.

Requested Action.

To consider the transfer of ownership of a retail liquor license from Teton Gables LLC to Movieworks LLC.

Recommendations.

Staff recommends approval of the application for transfer.

Background.

On August 24, 2021, Town Council awarded a retail liquor license to Teton Gables LLC dba Movieworks. After that award, the operating names of the business changed. The name Teton Gables LLC is no longer in use for the theater, therefore, transfer paperwork was submitted with the new company name. Movieworks LLC was formerly the "dba" and is now the LLC.

Analysis.

The Town Council should consider the following from Wyoming Statutes (W.S.) 12-4-601 (b) regarding the transfer of ownership of a liquor license:

"(b) A licensee . . . may assign and transfer the license or permit by a sale made in good faith. The assignment and transfer shall first have the approval of the licensing authority, which consideration shall be based in part upon a public hearing and an application filed under oath by the assignee or transferee showing the person or entity to be qualified to hold a license or permit under Wyoming law. The approval of the transfer shall not be given by the licensing authority if the transferring licensee is certified by the department as sixty (60) or more days delinquent in paying sales taxes pursuant to [W.S. 12-2-306](#), or if proceedings are pending to suspend, revoke or otherwise penalize the original license or permit holder. A transfer of a license or permit shall require the

payment of an additional license fee to the appropriate licensing authority of not more than one hundred dollars (\$100.00) for the transfer, and upon assignment the assignee may exercise the privilege of continuing the business authorized by the license or permit."

This application meets all requirements for a license transfer and has been certified complete by the Wyoming Liquor Division.

Possible Alternatives.

- Approve the application.
- Deny the application.
- Postpone action to the next regular meeting.
- Other.

Comprehensive Plan & Priority Alignment.

This application was processed according to Title 12 of the state statutes, and as related to the Comprehensive Plan Policy 8.1.a. the delivery of quality levels of service to the community and the decisions related to temporary liquor permits also have a direct correlation to the health, safety, and welfare of the community as discussed in Section 8.

Fiscal Impact.

Approval of this transfer would result in the collection of a \$100 transfer fee.

Staff Impact.

Staff impact was limited to 2-3 hours in the Town Clerk's office to process the application, work with the Wyoming Liquor Division on required paperwork, and produce a staff report; as well as 2 hours of time from the Town Attorney to review and consult on the staff report.

Attachments or Links.

Transfer Application

Suggested Motion. *Council always has the option to adopt, approve with conditions, continue, or deny items.*

I move to approve the transfer of the retail liquor license held by Teton Gables LLC to Movieworks LLC for the remainder of the license year ending March 31, 2022, subject to the original conditions of approval for the issuance of this retail liquor license detailed on August 24, 2021, and further direct the Town Clerk to issue the license upon confirmation that the conditions of approval have been met.

NEW OR TRANSFER LIQUOR LICENSE OR PERMIT APPLICATION

FOR LIQUOR DIVISION USE ONLY

Customer #:

Trf from:

Reviewer:

Initials

Date

Agent:

Mgr:

To be completed by City/County Clerk

License

Fees

Annual Fee:

\$

Prorated Fee:

\$

Transfer Fee:

\$

Publishing Fee:

\$

Local License #:

Date filed with

clerk:

Advertising Dates: (2 Weeks)

Hearing Date:

Publishing Fee Direct Billed to Applicant: ☐

License Term:

Month

Day

Year

Through

Month

Day

Year

LICENSING AUTHORITY: Begin publishing promptly. As W.S. 12-4-104(d) specifies: **NO LICENSING AUTHORITY SHALL APPROVE OR DENY THE APPLICATION UNTIL THE LIQUOR DIVISION HAS CERTIFIED THE APPLICATION IS COMPLETE.**

Applicant:

Trade/Business Name (dba):

Building to be licensed/Building Address:

Local Mailing Address:

Local Business Telephone Number: (307) 733-4939

Fax Number: ()

Business E-Mail Address: tylerdavis34@gmail.com

FILING FOR☐ NEW LICENSE☒ TRANSFER OF LOCATION**FILING IN (CHOOSE ONLY ONE)**☒ CITY OF: Jackson☐ COUNTY OF:**FILING AS (CHOOSE ONLY ONE)**☐ INDIVIDUAL☐ PARTNERSHIP☐ LP/LLP☒ LLC☐ CORPORATION☐ LTD PARTNERSHIP☐ ORGANIZATION☐ OTHER☒ TRANSFER OWNERSHIP☐ ASSIGNMENT LETTER ATTACHED

FORMERLY HELD BY:

Teton Gables LLC

TYPE OF LICENSE OR PERMIT (CHOOSE ONLY ONE)**RETAIL LIQUOR LICENSE**☒ ON-PREMISE ONLY (BAR)☐ OFF-PREMISE ONLY (PACKAGE STORE)☐ COMBINATION ON/OFF PREMISE
☐ RESTAURANT LIQUOR LICENSE
☐ RESORT LIQUOR LICENSE
☐ BAR AND GRILL
LIMITED RETAIL (CLUB)
☐ VETERANS CLUB
☐ FRATERNAL CLUB
☐ GOLF CLUB
☐ SOCIAL CLUB
☐ MICROBREWERY☐ WINERY☐ DISTILLERY SATELLITE☐ WINERY SATELLITE☐ COUNTY RETAIL/SPECIAL MALT BEVERAGE PERMIT

ALL APPLICANTS MUST COMPLETE QUESTIONS 1- 4

1. BUILDING OWNERSHIP: Does the applicant? W.S. 12-4-103(a)(iii)

- (a) **OWN** the licensed building? ☐ YES (own)
- (b) **LEASE** the licensed building? (Lease must be through the term of the liquor license) ☒ YES (lease)

If Yes, please submit a copy of the lease and indicate:

- (i) When the lease expires, located on page _____, 1 _____ paragraph _____ 2 _____ of
(ii) lease. Where the **Sales** provision for alcoholic or malt beverages is located, on page
_____ 3 _____ paragraph 1 of lease.
(MUST contain a provision for SALE OF ALCOHOLIC or MALT BEVERAGES.)

2. To operate your liquor business, have you assigned, leased, transferred or contracted with any other person (entity) to operate and assert total or partial control of the license and the licensed building? W.S. 12-4-601(b)

☐ YES ☒ NO

3. Does any manufacturer, brewer, rectifier, wholesaler, or through a subsidiary affiliate, officer, director or member of any such firm: W.S. 12-5-401, 12-5-402, 12-5-403

- (a) Hold any interest in the license applied for? ☐ YES ☒ NO
- (b) Furnish by way of loan or any other money or financial assistance for purposes hereof in your business? ☐ YES ☒ NO
- (c) Furnish, give, rent or loan any equipment, fixtures, interior decorations or signs other than standard brewery or manufacturer's signs? ☐ YES ☒ NO
- (d) If you answered **YES** to any of the above, explain fully and submit any documents in connection there within:

4. Does the applicant have any interest or intent to acquire an interest in any other liquor license issued by this licensing authority? W.S. 12-4-103(b)

☐ YES ☒ NO

If "YES", explain: _____

5. BAR AND GRILL LICENSE OR RESTAURANT LICENSE:

Have you submitted a valid food service permit or application? W.S. 12-4-413(a)

☐ YES ☐ NO

6. RESORT LICENSE:

Does the resort complex:

- (a) Have an actual valuation of at least one million dollars, or have you committed or expended at least one million dollars (\$1,000,000.00) on the complex, excluding the value of the land? W.S. 12-4-401(b)(i) ☐ YES ☐ NO
- (b) Include a restaurant and a convention facility which will seat at least one hundred (100) persons? W.S. 12-4-401(b)(ii) ☐ YES ☐ NO
- (c) Include motel, hotel or privately owned condominium, town house or home accommodations approved for short term occupancy with at least one hundred (100) sleeping rooms? W.S. 12-4-401(b)(iii) ☐ YES ☐ NO
- (d) If no on question (c), have a ski resort facility open to the general public in which you have committed or expended not less than 10 million dollars (\$10,000,000.00)? W.S. 12-4-401(b)(iv) ☐ YES ☐ NO
- (e) Are you contracting/leasing the food and beverage services? W.S. 12-4-403(b)
1. If Yes, have you submitted a copy of the food and beverage contract/lease? ☐ YES ☐ NO

9. LIMITED RETAIL (CLUB) LICENSE:**VETERANS CLUBS W.S. 12-1-101(a)(iii)(A):**

- (a) Does the Veteran's organization hold a charter by the Congress of the United States?
NO ☐ YES ☐
- (b) Is the membership of the Veteran's organization comprised only of Veterans and its
duly organized auxiliary? ☐ YES ☐ NO

10. LIMITED RETAIL (CLUB) LICENSE:**GOLF CLUBS W.S. 12-1-101(a)(iii)(D)/W.S. 12-4-301(e):**

- (a) Do you have more than fifty (50) bona fide members? ☐ YES ☐ NO
- (b) Do you own, maintain, or operate a bona fide golf course together with clubhouse? ☐ YES ☐ NO
- (c) Are you a political subdivision of the state that owns, maintains, or operates a golf course? ☐ YES ☐ NO
1. Are you contracting/leasing the food and beverage services? W.S. 12-5-201(g) ☐ YES ☐ NO
2. If Yes, have you submitted a copy of the food and beverage contract/lease? ☐ YES ☐ NO

11. LIMITED RETAIL (CLUB) LICENSE:**SOCIAL CLUBS W.S. 12-1-101(a)(iii)(E)/W.S. 12-4-301(b):**

- (a) Do you have more than one hundred (100) bona fide members who are residents of the county in which the club is located? ☐ YES ☐ NO
- (b) Is the club incorporated and operating solely as a nonprofit organization under the laws of this state? ☐ YES ☐ NO
- (c) Is the club qualified as a tax exempt organization under the Internal Revenue Service? ☐ YES ☐ NO
- (d) Has the club been in continuous operation for a period of not less than one (1) year? ☐ YES ☐ NO
- (e) Has the club received twenty-five dollars (\$25.00) from each bona fide member as Recorded by the secretary of the club and are club members at the time of this application in good standing by having paid at least one (1) full year in dues? ☐ YES ☐ NO
- (f) Does the club hold quarterly meetings and have an actively engaged membership carrying out the objectives of the club? ☐ YES ☐ NO
- (g) Have you filed a true copy of your bylaws with this application? ☐ YES ☐ NO
- (h) Has at least fifty one percent (51%) of the membership signed a petition indicating a desire to secure a Limited Retail Liquor License? (Petition Attached) ☐ YES ☐ NO

12. If applicant is filing as an Individual, Partnership or Club: W.S. 12-4-102(a)(ii) & (iii)

Each individual, partner or club officer must complete the box below.

True and Correct Name	Date of Birth	Residence Address No. & Street City, State & Zip DO NOT LIST PO BOXES	Residence Phone Number	Have you been a DOMICILED resident for at least 1 year and not claimed residence in any other state in the last year?	Have you been Convicted of a Felony Violation?	Have you been Convicted of a Violation Relating to Alcoholic Liquor or Malt Beverages?
				YES ☐ NO ☐	YES ☐ NO ☐	YES ☐ NO ☐
				YES ☐ NO ☐	YES ☐ NO ☐	YES ☐ NO ☐

(If more information is required, list on a separate piece of paper and attach to this application.)

13. If the applicant is a Corporation, Limited Liability Company, Limited Liability Partnership or Limited Partnership: W.S. 12-4-102(a)(iv) & (v)

Each stockholder holding, either jointly or severally, ten percent (10%) or more of the outstanding and issued capital stock of the corporation, limited liability company, limited liability partnership, or limited partnership, and every officer, and every director must complete the box below.

True and Correct Name	Date of Birth	Residence Address No. & Street City, State & Zip DO NOT LIST PO BOXES	Residence Phone Number	No. of Years in Corp or LLC	% of Corpora te Stock Held	Have you been Convicted of a Felony Violation?	Have you been Convicted of a Violation Relating to Alcoholic Liquor or Malt Beverages?
Stealth Holdings LLC Tyler Davis		Jackson WY 87601		1	25	YES ☐ NO ☒	YES ☐ NO ☒
Joe Rice				1		YES ☐ NO ☒	YES ☐ NO ☒
C-Note Management LLC Theodore Staryk		Jackson WY 87601		1	25	YES ☐ NO ☒	YES ☐ NO ☒
						YES ☐ NO ☐	YES ☐ NO ☐
						YES ☐ NO ☐	YES ☐ NO ☐
						YES ☐ NO ☐	YES ☐ NO ☐

(If more information is required, list on a separate piece of paper and attach to this application.)

REQUIRED ATTACHMENTS:

- ☐ ☐ A statement indicating the financial condition and financial stability of the applicant W.S. 12-4-102(a)(vi).
- ☐ ☐ Attach any lease agreements (especially for resort/political subdivisions leasing out food & beverage services) W.S. 12-4-103 (a)(iii)/W.S. 12-4-403(b)/W.S. 12-4-301(e).
- ☐ ☐ If transferring a license from one ownership to another, a form of assignment from the current licensee to the new applicant authorizing the transfer W.S. 12-4-601(b).

OATH OR VERIFICATION

(Requires signatures by **ALL** Individuals, **ALL** Partners, **ONE (1)** LLC Member, or **TWO (2)** Corporate Officers or Directors except that if all the stock of the corporation is owned by **ONE (1)** individual then that individual may sign and verify the application upon his oath, or **TWO (2)** Club Officers.) W.S. 12-4-102(b)

*Under penalty of perjury, and the possible revocation or cancellation of the license,
I swear the above stated facts, are true and accurate.*

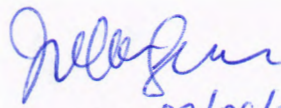
STATE OF WYOMING)

COUNTY OF Teton) SS.

Signed and sworn to before me on this 30th day of September, 2021 that the facts alleged in the foregoing instrument are true by the following:

1) [Signature] (Signature) Tyler Davis (Printed Name) owner/manager Title

(7/21)



Signature of Notary Public

(SEAL)

My commission expires: 02/26/2022

TOWN OF JACKSON
Office of Town Clerk
P.O. Box 1687 / 150 East Pearl Avenue
Jackson, Wyoming 83001
(307) 733-3932 ext 1113

Liquor License Application

AFFIDAVIT of AUTHORIZATION

The undersigned hereby states he/she is authorized to sign the attached Liquor License and/or Permit Application form as issued by the Wyoming Liquor Division for use by the Town of Jackson, and authorizes the Town of Jackson, its agents, and employees to seek information as set forth in Municipal Code Section 6.20 and conduct investigations into the truth of the statements set forth in the application. The undersigned hereby agrees to comply fully with the rules and regulations of the Town of Jackson governing the license/permit. The undersigned hereby attests that the facts and documents contained within the Liquor License or Permit Application packet are true and correct.

AFFIDAVIT of UNDERSTANDING

The undersigned hereby states that he/she understands that the submittal, review, approval, issuance, and/or received payment of the attached Liquor License and/or Permit Application form as issued by the Wyoming Liquor Division for use by the Town of Jackson does not imply that any other reviews, authorizations, permits, and approvals have been made by any Town/County departments or elected bodies. Additional review, authorization, permit, and approval may be required at any time from additional Town/County departments, which may include the time period after approval but before issuance of the Liquor License and/or Permit. It is the duty of the applicant to seek any and all required reviews, authorizations, permits, and approvals from Town or County departments.

Please note: Corporations and Limited Liability Companies must submit a listing of all officers and all directors, including dates of birth and Social Security Numbers. Please attach the list to this document.

PRINT

Full Legal Name:

Tyler

First Name

Edward

Full Middle Name

Davis

Last Name

[Redacted]

Date of Birth

WY

Driver License: State / Number

Male or Female

Circle one

9/22/21

Date Signed

[Signature]
Applicant Signature

State of Wyoming)

County of Teton) ss

Subscribed and sworn to before me this 22nd day of September, 2021.

(SEAL)



[Signature]
Notary Public or officer authorized to administer oaths

Rev 4/20

TOWN OF JACKSON
Office of Town Clerk
P.O. Box 1687 / 150 East Pearl Avenue
Jackson, Wyoming 83001
(307) 733-3932 ext 1113

Liquor License Application

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Please note: Corporations and Limited Liability Companies must submit a listing of all officers and all directors, including dates of birth and Social Security Numbers. Please attach the list to this document.

PRINT

Full Legal Name: THEODORE STEVEN STARZYK
First Name Full Middle Name Last Name

9/30/2021 9/30/2021 9/30/2021 9/30/2021 9/30/2021 9/30/2021
Date of Birth Driver License: State / Number Male or Female
Circle one

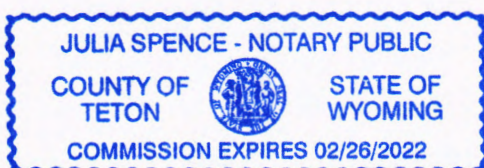
9/30/2021
Date Signed

TL Starzyk
Applicant Signature

State of Wyoming)
County of Teton)ss

Subscribed and sworn to before me this 30th day of September, 20 21.

(SEAL)



Julia Spence
Notary Public or officer authorized to administer oaths

STATE OF WYOMING * SECRETARY OF STATE
EDWARD A. BUCHANAN
BUSINESS DIVISION

Herschler Bldg East, Ste.100 & 101, Cheyenne, WY 82002-0020

Phone 307-777-7311

Website: <https://sos.wyo.gov> · Email: business@wyo.gov

Filing Information



Please note that this form CANNOT be submitted in place of your Annual Report.

Name **Movieworks LLC**

Filing ID **2021-001012599**

Type **Limited Liability Company**

Status

Active

General Information

Old Name

Sub Status

Current

Fictitious Name

Standing - Tax

Good

Standing - RA

Good

Sub Type

Standing - Other

Good

Formed in **Wyoming**

Filing Date

06/13/2021 3:07 PM

Term of Duration **Perpetual**

Delayed Effective Date

Inactive Date

Principal Address

860 S Hwy 89
Jackson, WY 83001

Mailing Address

po box 12111
jackson, WY 83002

Registered Agent Address

Tyler Davis
1140 HWY 22
PO Box 12111
Jackson, WY 83001

Parties

Type	Name / Organization / Address
------	-------------------------------

Organizer	Tyler Davis 1140 Hwy 22
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Notes

Date	Recorded By	Note
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Annual Report History

Num	Status	Date	Year	Tax
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Amendment History

Filing Information



Please note that this form CANNOT be submitted in place of your Annual Report.

Name **Movieworks LLC**

Filing ID **2021-001012599**

Type Limited Liability Company

Status

Active

ID	Description	Date
See Filing ID	Initial Filing	06/13/2021

ASSIGNMENT AND ASSUMPTION OF LIQUOR LICENSE

THIS ASSIGNMENT AND ASSUMPTION OF LIQUOR LICENSE (this “**Assignment**”) is made to be effective as of the date last signed below (the “**Effective Date**”) by and among Teton Gables, LLC, a Wyoming limited liability company (the “**Teton Gables**”) and Movieworks, LLC, a Wyoming limited liability company (the “**Movieworks**”).

RECITALS

- A. On August 24, 2021, the Jackson Town Council met in a special meeting and voted to approve the issuance of a Retail Liquor License to Teton Gables, LLC for the current liquor license year terminating March 31, 2022, subject to the conditions of approval contained in the minutes for said meeting (the “**Liquor License**”).
- B. Teton Gables desires to assign the Liquor License to Movieworks, and Movieworks desires to assume the Liquor License from Teton Gables.

AGREEMENT

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, and incorporating the Recitals set forth above, Teton Gables and Movieworks agree as follows:

- 1. Assignment. Teton Gables, as of the Effective Date, hereby assigns, transfers, and conveys to Movieworks all of Teton Gables’s rights and interests in the Liquor License.
- 2. Acceptance. Movieworks hereby accepts the assignment of the Liquor License and assumes, and agrees to keep, perform, and fulfill all liabilities and obligations of Teton Gables under the Liquor License that accrue on and after the Effective Date.
- 4. Indemnification.
 - a. Movieworks agrees to indemnify and hold Teton Gables harmless from and against all losses, claims, obligations, actions, suits, damages, liabilities, costs, and expenses (including reasonable attorneys’ fees) relating to or arising out of any default or obligation of Movieworks with respect to the Liquor License occurring on or after the Effective Date.
 - b. Teton Gables agrees to indemnify and hold harmless Movieworks from and against all losses, claims, obligations, actions, suits, damages, liabilities, costs, and expenses (including reasonable attorneys’ fees) relating to or arising out of any default or obligation of the Teton Gables with respect to the Liquor License occurring before the Effective Date.
- 5. Binding Effect. This Assignment shall be binding upon and shall inure to the benefit of the parties hereto and their respective successors and assigns.
- 6. No Modification. This Assignment shall not be altered, amended, or otherwise modified, except as set forth in a written document executed by the parties hereto.

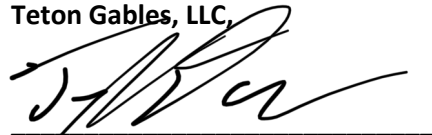
7. Governing Law. This Assignment and all questions arising in connection herewith shall be governed by and construed in accordance with the laws of Wyoming.

8. Counterparts; Signatures. This Assignment may be executed in multiple counterparts, all of which shall be read together and be construed as one instrument. A facsimile or electronic signature shall be binding as an original signature.

IN WITNESS THEREOF, Teton Gables and Movieworks have signed and delivered this Assignment as of the Effective Date.

TETON GABLES:

Teton Gables, LLC,



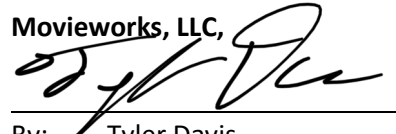
By: Tyler Davis

Its: Manager

Dated: 9/30/21

MOVIEWORKS:

Movieworks, LLC,



By: Tyler Davis

Its: Manager

Dated: 9/30/21

Exhibit A Meeting Minutes

TOWN COUNCIL PROCEEDINGS

August 24, 2021

JACKSON, WYOMING

The Jackson Town Council met in a special meeting at 9:00 A.M. This meeting was held through the Zoom platform. Upon roll call the following were found to be present:

TOWN COUNCIL: *In-person*: None. *via Zoom*: Mayor Hailey Morton Levinson, Arne Jorgensen, Jessica Sell Chambers, Jonathan Schechter, and Jim Rooks.

STAFF: Lea Colasuonno, Larry Pardee, Roxanne Robinson and Lynsey Lenamond.

Public Hearing. Mayor Morton Levinson reopened the public hearing from August 23, 2021. Council discussed the number of licenses to issue, potential recipients of the licenses, and conditions to place on licenses. Lynsey Lenamond and Lea Colasuonno made staff comment.

Having considered the Wyo. Stat. §12-4-104(b) statutory factors, a motion was made by Jessica Sell Chambers and seconded by Arne Jorgensen to approve the issuance of a Retail Liquor License to Sweet Cheeks Meats LLC for the current liquor license year terminating March 31, 2022, subject to the following conditions of approval: a. The Clerk shall not issue the liquor license until all required Town permits, licenses, and lease issues have been satisfied. b. Any additional minor corrections deemed necessary by staff and the Wyoming Liquor Division. c. Applicant voluntarily waives its right to transfer the license in the case that Sweet Cheeks Meats LLC dba Sweet Cheeks goes out of business. d. The Town Clerk shall not issue the license until confirmation that the conditions of approval have been met within the timeframe set forth in Wyoming Statute 12-4-103(a)(iv).

Mayor Morton Levinson called for the vote. The vote showed 5-0 in favor and the motion carried.

Council recessed at 10:29 a.m. and readjoined at 10:55 a.m.

Having considered the Wyo. Stat. §12-4-104(b) statutory factors, a motion was made by Jessica Sell Chambers and seconded by Arne Jorgensen to approve the issuance of a Retail Liquor License to Teton Gables LLC dba Movieworks for the current liquor license year terminating March 31, 2022, subject to the following conditions of approval: a. The Clerk shall not issue the liquor license until all required Town permits, licenses, and lease issues have been satisfied. b. Any additional minor corrections deemed necessary by staff and the Wyoming Liquor Division. c. Applicant voluntarily agrees to relinquish its Retail Liquor License to the Town of Jackson if i) another type of liquor license becomes available that reasonably satisfies the needs of Teton Gables LLC dba Movieworks, whether or not that license is a new license type created by the state legislature or an existing license type, and ii) Teton Gables LLC dba Movieworks is issued such license. d. The Town Clerk shall not issue the license until confirmation that the conditions of approval have been met within the timeframe set forth in Wyoming Statute 12-4-103(a)(iv).

Mayor Hailey Morton Levinson called for the vote. The vote showed 3-2 in favor with Jonathan Schechter and Jim Rooks opposing and the motion carried.

Having considered the Wyo. Stat. §12-4-104(b) statutory factors, a motion was made by Jessica Sell Chambers and seconded by Mayor Hailey Morton Levinson to approve the issuance of a Bar and Grill Liquor License to Illamar LLC dba Pinky G's for the current license year terminating March 31, 2022, subject to the following conditions of approval: a. The Clerk shall not issue the liquor license until all required Town permits, licenses and lease issues have been satisfied. b. Any additional minor corrections deemed necessary by staff and the Wyoming Liquor Division. c. The Town Clerk shall not issue the license until confirmation that the conditions of approval have been met within the timeframe set forth in Wyoming Statute 12-4-103(a)(iv).

Mayor Morton Levinson called for the vote. The vote showed 4-1 in favor with Jonathan Schechter opposing and the motion carried.

Mayor Morton Levinson closed the public hearing.

Adjourn. A motion was made by Jonathan Schechter and seconded by Jim Rooks to adjourn. Mayor Morton Levinson called for the vote. The vote showed 5-0 in favor and the motion carried. The meeting adjourned at 11:37 a.m.

TOWN OF JACKSON

ATTEST:

Lynsey Lenamond, Town Clerk

minutes:ll

Publish JH News & Guide: September 1, 2021

Mayor Hailey Morton Levinson

Commercial Lease Agreement
TRIPLE NET
(860 HWY 89 and Movieworks)

This Lease Agreement (the "Lease") is made and entered into to be effective as of the date of the last signature below (the "Effective Date"), by and between 860 HWY 89, LLC, a Wyoming limited liability company ("Landlord"), and Movieworks, LLC, a Wyoming limited liability company ("Tenant").

Recitals

Landlord is the owner of real property and improvements located at 860 S. Highway 89, Jackson, WY, Lot 6 and the East 20 feet of Lot 7 of Three Trees Addition to the Town of Jackson, Teton County, Wyoming according to that Plat recorded in the Office of the Teton County Clerk on June 11, 1985 as Plat No. 590 (the "Leased Premises");

In consideration of the foregoing recitals, together with the covenants and agreements contained herein, the parties agree as follows:

- 1) **Lease of Leased Premises.** Landlord agrees to lease to Tenant, and Tenant agrees to lease from Landlord the Leased Premises, on the terms and conditions set forth in this Lease.
- 2) **Term of Lease.** The term of this Lease shall begin on September 10, 2021 and end at noon MST on September 9, 2022 (the "Term"). Tenant shall have three (3), one year options to extend lease. Option must be exercised 60 days prior to Lease Anniversary.
- 3) **Rent and Payment.** Tenant agrees and covenants to pay as rent (the "Rent") [REDACTED] per month in advance on the first of each month during the Term, with the following conditions:
 - a. **Payment Terms.** All Rent payments shall be tendered in lawful United States currency, without any set-off or deduction whatsoever, made payable to Landlord, and delivered to Landlord at the mailing address set forth below, or at such other place as Landlord may designate in writing from time to time.
 - b. **Late Payment Charges.** If the Rent or any amount due under this Lease from Tenant is not received by Landlord within ten (10) business days after due, Tenant shall be in Default and shall pay Landlord a late charge of 5% of the overdue amount. Additionally, such amounts shall accrue interest at a rate of ten percent (10%) compounded daily from the due date, and accrual of interest shall continue until the overdue payment, together with accrued interest, is paid. Acceptance of the late charge together with the underlying overdue payment does not constitute a waiver of Tenant's Default with respect to such overdue amount, nor prevent Landlord from exercising any of the other rights under this Lease.
 - c. **Security Deposit.** No security deposit
- 4) **Additional Rent – Triple Net.** In addition to the Rent set forth above, Tenant shall pay in advance and with the first rent payment due and continuing on a monthly basis thereafter throughout the Term, as additional rent, all costs associated with the Leased Premises including but not limited to the actual real and personal property taxes, all insurance premiums, alarm costs, water, sewer, and other utilities, building and common area maintenance charges including snow removal, repair charges, and property management fees or other assessments levied or assessed against Landlord (collectively "Operating Expenses"). Landlord shall provide Tenant with written notice of the estimated Operating Expenses to be paid by Tenant within ten (10) days of the signing of this Lease.

Landlord may, at Landlord's option revise the Operating Expenses estimate once during any calendar year, on at least thirty (30) days' written notice to Tenant and Tenant's monthly payments of additional rent under the Lease shall be adjusted accordingly for the balance of the calendar year. If the estimated Operating Expenses are less than actual expenses, Tenant shall pay to Landlord the difference within thirty (30) days of notice of such deficiency. If the Tenant estimated Operating Expenses are more than actual expenses, Tenant shall receive a credit for such over-payment against future Operating Expenses.

- 5) **Personal Property Taxes.** Tenant shall be liable for taxes levied against its personal property, trade fixtures and other property placed by Tenant in the Leased Premises.
- 6) **Taxes and Assessments.** Landlord shall pay all real estate taxes and assessments, and any other governmental charges, assessments or taxes pertaining to the Leased Premises during the Term of this Lease, but subject to Tenant's obligation to reimburse Landlord for such items in accordance with Paragraph 4.
- 7) **Utilities.** Subject to the obligations in Paragraph 4, to the extent utilities are metered separately to the Premises, Tenant shall establish, pay for and maintain all utilities accounts in its name. Tenant shall be solely liable for any loss, damage or injury from Tenant's failure to remove snow or ice from the Leased Premises and the sidewalk directly in front of the Leased Premises.
- 8) **Insurance.**
 - a. Landlord shall maintain, and pass through as Operating Expenses, fire and extended "all risk" insurance coverage on the Leased Premises in amounts as Landlord deems sufficient.
 - b. Tenant, at its cost shall insure Tenant's personal property located on the Leased Premises against loss or damage by fire or other casualties in the amount of its full insurable value.
 - c. Tenant, at its sole cost shall obtain commercial general liability insurance with respect to the Leased Premises and Tenant's activities in the Premises, with minimum limits of \$1,000,000 each occurrence and \$2,000,000 general aggregate. Such insurance must include specific coverage provisions or endorsements (a) for broad form contractual liability insurance insuring Tenant's obligations under this Lease; (b) naming Landlord as additional insured's; (c) waiving the insurer's subrogation rights against the Landlord and their principals, shareholders, employees, agents, insurers and attorneys (hereafter "Landlord Parties"); (d) providing Landlord with at least 30 days prior notice of modification, cancellation, material amendment, non-renewal or expiration; and (e) expressly stating that Tenant's insurance will be provided on a primary non-contributory basis. If Tenant provides such liability insurance under a blanket policy, the insurance must be made specifically applicable to the Leased Premises and this Lease on a per location basis
 - d. Within three (3) business days of the Effective Date, Tenant shall provide Landlord with certificates of all insurance policies to be maintained by Tenant with evidence of payment of the premiums and shall provide copies or access to such copies of the actual policy upon demand by Landlord.
 - e. If Tenant does not obtain or maintain any of the insurance policies required under this section, Landlord has the right to declare a default, and/or obtain or maintain such policies on its own, and then charge all premium payments made by Landlord to Tenant as Operating Expenses.
- 9) **Use of Leased Premises.** The use of Leased Premises shall be restricted to those uses that are incidental or necessary to Tenant's operations as a movie theater, concession stand and food service, or any other uses that may be accepted by Landlord in writing from time to time. Furthermore, the Leased Premises shall be used and occupied by Tenant in a careful, safe and proper manner. Tenant shall pay on demand for any damage to the Leased Premises caused by the misuse of same by it, its agents, employees, licensees, guests and invitees. Tenant shall not use or keep any substance or material in or about the Leased Premises that may vitiate or endanger the

validity of the insurance on the Leased Premises or increase the hazard of the risk, or which may create a nuisance.

- 10) Sale of Alcoholic Beverages.** Tenant is expressly permitted to engage in the sale of alcoholic beverages on the Leased Premises so long as such sale is in compliance with all applicable laws, licenses, orders and regulations of any governmental authority.
- 11) Smoking Prohibited.** Landlord does not allow, and Tenant agrees there shall be no smoking inside the Leased Premises.
- 12) Acceptance of Leased Premises.** Taking possession of Leased Premises by Tenant is conclusive evidence that Tenant accepts them as being in good and satisfactory condition when possession was taken. Tenant has inspected the Leased Premises and accepts the same in "as is" condition, without relying on any representations or warranties of Landlord.
- 13) Subordination to Mortgage.** This Lease is subordinate to any mortgages or other security instruments that may now or hereafter encumber the Leased Premises, and to all renewals, modifications, consolidations, replacements and extensions thereof. This clause shall be self-operative, and no further instrument of subordination is required by any mortgagee or security holder. Tenant shall, within three business days of Landlord's request, execute an estoppel certificate, subordination agreement or instrument as Landlord may reasonably request in this regard.
- 14) Repair and Maintenance.** Tenant acknowledges that the Leased Premises are in good repair and working order. Tenant shall, at its sole expense, maintain the Leased Premises (including, without limitation, all electrical, plumbing and mechanical systems) in as good order and repair as it was as of the Effective Date, reasonable wear and tear excepted.
- 15) Landlord's Access.** Landlord and its representatives may enter the Leased Premises at any reasonable time after reasonable phone notice for the purpose of: a) inspecting the Leased Premises to ascertain Tenant's compliance with this Lease; b) in order to make repairs, additions or alterations as Landlord deems necessary; c) to post notices of non-responsibility under mechanics' lien law; d) to show the Leased Premises for sale, lease or mortgage financing; or e) for any other reasonable purposes.
- 16) Alterations.**
 - a. Landlord.** Landlord shall have the right upon reasonable phone notice to enter the Leased Premises to make such improvements, additions, repairs or alterations as it may deem necessary or proper for the safety, improvement or preservation of the Leased Premises which cost shall be Operating Expenses. Tenant waives any claims for damages, including loss of business resulting therefrom, so long as such work is done on a reasonable basis, at reasonable times, and is reasonably necessary in the discretion of the Landlord. In the exercise of its rights under this paragraph, Landlord shall not unreasonably interfere with the conduct of Tenant's business.
 - b. Tenant.** Except for Trade Fixtures, as set forth in Paragraph 19 below, Tenant shall make no alterations in or additions to the Leased Premises without first obtaining the written consent of Landlord, and all additions or improvements made by Tenant shall be deemed a part of Leased Premises and shall remain upon and be surrendered with the Leased Premises at the termination hereof by lapse of time or otherwise unless otherwise stated in writing by Landlord. In that event, Tenant shall remove such improvements and restore the Leased Premises to the condition which existed at the beginning of the Term. Following written consent of the Landlord to any alteration or improvements to the Leased Premises, Tenant shall be responsible for obtaining all necessary building permits and governmental approvals at Tenant's sole cost. All contracts for alterations or improvements shall contain a provision waiving the contractor's right to claim a mechanic's lien against the Leased Premises.

- 17) Assignment of Sublease and Mortgage by Tenant.** Tenant shall not assign or create a security interest in, pledge or encumber this Lease or the Leased Premises in any way or permit the use of any part thereof by any subtenant, licensee or concessionaire, unless Tenant first obtains Landlord's written consent. In the event Tenant violates this section, Tenant shall nevertheless remain liable for the performance of all the terms of this Lease.
- 18) Signs.** Upon the prior written approval of Landlord, Tenant shall have the right to erect and maintain signs in, on or about the Leased Premises.
- 19) Trade Fixtures.** Trade fixtures purchased by Landlord or anyone other than Tenant that are already in the Leased Premises when Tenant moves in shall remain the property of the Landlord. Trade fixtures purchased by Tenant shall be and remain the property of the Tenant during the Term as amended or extended. Tenant's trade fixtures shall be removable by Tenant at termination of the Lease unless otherwise agreed to in writing by Landlord and Tenant. Tenant may, in its reasonable discretion remove existing trade fixtures owned by Landlord and replace them with trade fixtures Tenant has purchased. During the Term, Tenant shall properly store, at its own costs, any of Landlord's trade fixtures removed by Tenant. At the termination of the Lease, Tenant shall restore the Leased Premises to the condition which existed at the beginning of the Term, including reinstalling trade fixtures owned by Landlord (if any were uninstalled). If for some reason Trade Fixtures of the Landlord were damaged during their removal, any replacement must be of similar or equal cost and approved in writing by Landlord prior to the termination of this Lease.
- 19) Tenant's Covenants.** Tenant covenants that it shall:
- a. Comply with all laws, orders, regulations, rules, ordinances and covenants of any governmental body having jurisdiction over the Leased Premises;
 - b. Give to Landlord prompt written notice of any accident, fire defect, or damage occurring on or to the Leased Premises;
 - c. Keep the Leased Premises sufficiently heated to prevent freezing of pipes, waterlines and fixtures;
 - d. Keep the Leased Premises orderly, clean, sanitary and free from objectionable odors and insects, vermin, pets (except as provided herein) pests or nuisances;
 - e. Do all things reasonably possible to prevent the filing of any mechanics' or other liens against the Leased Premises or any part thereof by reason of work, labor, services or materials furnished or claimed to have been furnished to Tenant, or anyone holding the Leased Premises or any part thereof, through or under Tenant. If any lien is filed against the Leased Premises, Tenant shall either cause it to be discharged within twenty (20) days after the date of the filing, or if Tenant, in Tenant's discretion and in good faith, determines the lien should be contested, Tenant shall furnish such security as may be necessary or required to prevent any foreclosure against Tenant's or Landlord's interest in the Leased Premises. If Tenant fails to discharge such lien within such period, or fails to furnish adequate security, then in addition to any other right of remedy of Landlord, Landlord may, but shall not be obligated to, discharge the lien either by paying the amount claimed or by procuring the discharge of such lien by obtaining security or in any other manner available to Landlord and such costs shall be considered Operating Expenses. Nothing in this section shall imply any consent or agreement on the part of Landlord to subject Landlord's interest in the Leased Premises to liability under any mechanics' or other lien law;
 - f. Repay Landlord, as Operating Expenses, on demand, all sums disbursed or deposited by Landlord pursuant to the provisions of this Lease, including Landlord's costs, expenses and reasonable attorneys' fees incurred by Landlord in connection therewith;
 - g. Obtain and maintain in force the liability insurance required hereby;
 - h. Not permit anyone other than employees, agents, servants and business invitees to remain in or loiter upon the Leased Premises;

- i. Comply with all reasonable rules and regulations that may be established, from time to time, by Landlord.
 - j. Not do or allow anything objectionable to the insurance companies insuring the Leased Premises, which would void or suspend those insurance policies, or be rated as a more hazardous risk than at the date when Tenant receives possession. In the event of breach of this covenant, in addition to all other remedies of Landlord, Tenant shall pay to Landlord as Operating Expenses any increase in insurance premiums;
 - k. Permit waste upon the Leased Premises or any other nuisance; and
 - l. In the event the Town of Jackson or Teton County imposes any increased tax assessment or increased mill levy, Tenant shall pay to Landlord as Operating Expenses, any such increase.
- 20) Landlord's Covenants of Quiet Enjoyment.** Landlord covenants that Tenant, upon paying the Rent and performing the Tenant's covenants, shall peacefully and quietly have, hold and enjoy the Leased Premises during the term hereof, unless specifically provided to the contrary herein.
- 21) Sale of Leased Premises.** Tenant agrees that Landlord is free to sell the Leased Premises during the Term. If Landlord intends to sell and/or market the Leased Premises for sale, it shall give Tenant good faith notice of such intention as early as possible (preferably before a sales contract is actually signed). If a contract for the sale of Leased Premises is entered into by Landlord and a buyer during the Term, Landlord shall contemporaneously with the execution of that sales contract notify Tenant that the Leased Premises are under contract for sale. Any such sale shall be subject to this lease as amended or extended which shall remain in full force and effect.
- 22) Payment After Termination.** Should Tenant hold possession of the Leased Premises after the expiration of the Term, with the consent of the Landlord, Tenant shall become a month- to-month tenant on all terms of this Lease.
- 23) Surrender of Leased Premises.** Upon the termination of this Lease, Tenant shall surrender the Leased Premises to Landlord in as good a condition as at the beginning of the term, reasonable wear and tear excepted, together with all alterations, interior decorations, additions and improvements that may have been made during the term, except for Tenant's Trade Fixtures it purchased or otherwise subject to Paragraph 19 (Trade Fixtures). Notwithstanding any other provision to the contrary in this Lease, any personal property, or trade fixtures, remaining in the Leased Premises following the expiration or termination hereof shall be deemed to be the property of Landlord and may be disposed of by the Landlord in its sole discretion without liability to the Tenant. Landlord may also charge Tenant all reasonable costs and expenses incurred in removing Tenant's abandoned property from the Premises and such costs shall be considered Operating Expenses.
- 24) Damage or Destruction to Leased Premises.** If the Leased Premises are damaged by fire, the elements, unavoidable accident or other casualty, without the fault or negligence of Tenant, or Tenant's agents, visitors, licensees, invitees or sub-tenants, and the Leased Premises are not rendered untenable in whole or in part, Landlord shall cause the damage to be repaired, such costs shall be considered as Operating Expenses and the Rent shall not be abated. If, as a result, the Leased Premises are rendered untenable only in part, Landlord shall promptly cause the damage to be repaired and the Rent, during such period of repair, shall be abated proportionately to the portion of Leased Premises rendered untenable but the costs of repair shall be considered Operating Expenses. If, as a result, the Leased Premises are rendered wholly untenable, Landlord shall, at its option, either: (i) cause the damage to be repaired at its expense and the Rent, during such period of repair, shall be abated in whole but the Term shall not be extended; or (ii) declare the balance of the term hereof to be null and void. Subject to the next sentence, if repairs cannot be completed within three months, Tenant has the right to terminate the Lease. If any damage or destruction occurring to the Leased Premises, whether partial or complete, is caused as the result of the fault or any negligence of Tenant or Tenant's guests, invitees, agents, licensees or sub-tenants,

there shall be no apportionment or abatement of Rent during the Term and Tenant shall be solely responsible for restoring the Leased Premises.

25) Tenant's Property. Landlord shall not be liable for any damage or loss to property of Tenant or of others located on the Leased Premises by theft or otherwise. Landlord shall not be liable for any damage caused by other tenants or persons in the Leased Premises, occupants of adjacent property, or the public, or caused by operations in construction of any private or public work. Landlord shall not be liable for any latent defect in the Leased Premises. All property of Tenant or its subtenants kept or stored on the Leased Premises is done so at the risk of Tenant only, and Tenant shall hold Landlord harmless from any claims arising out of damage to the same, including subrogation claims by Tenant's insurance carrier, unless such damage shall be caused by the willful act or gross neglect of Landlord.

26) Default by Tenant.

- a. Failure to pay Rent or Operating Expenses which failure continues for 10 (10) business days from the original due date constitutes a Default. Abandonment of the Leased Premises, the filing of a petition for bankruptcy, or appointment of a receiver, or failure to observe or perform any of the other terms of this Lease for a period of twenty (20) days after written notice of such failure constitutes a Default. In the event of a Default, Landlord may (i) terminate this lease or (ii) re-enter the Leased Premises and take possession of the Leased Premises without termination. In either event, Tenant shall immediately vacate the Leased Premises and deliver possession to Landlord. Both remedies of Landlord may be taken with or without legal proceedings, using such force as may be necessary. Further, Landlord has the right to remove from the Leased Premises any of Tenant's personal property without liability for breach of the covenants of this Lease, and without being guilty of trespass or forcible entry and detainer. Tenant hereby grants to Landlord a "landlord's lien" in and to its personal property, fixtures and improvements to the Leased Premises in order to secure all of Tenant's covenants and obligations hereunder and Landlord, may, at its election, file a UCC statement for such lien and security interest.
- b. If Landlord Terminates the Lease, it may remove Tenant and its Property from the Leased Premises. Tenant shall remain liable for all Rent, Operating Expenses, and other amounts due under the Lease until Landlord can lease the Leased Premises to another Tenant of Landlord's choosing at such rental and on such other terms and conditions as Landlord, in its sole discretion, may deem advisable. Landlord shall take all necessary and reasonable actions to find another Tenant in order to fulfill its duty to mitigate its damages, if any. All amounts due under the Lease shall be immediately due and payable by Tenant to Landlord at the time proscribed by the Lease and shall accrue interest as set forth in this Lease.
- c. If Landlord elects not to terminate and to re-enter the premises, no such re-entry or taking possession of the Leased Property by Landlord shall be construed as an election on its part to terminate this Lease unless a written notice of such intention is given to Tenant or unless termination thereof is decreed by a court of competent jurisdiction. Notwithstanding any such re-letting without termination, the Landlord may at any time thereafter elect to terminate this Lease for such previous breach and the provisions of Section (b) shall apply. Landlord, after taking possession, may re-lease the Leased Premises for such time and on such reasonable terms as Landlord, in its sole reasonable discretion, shall determine. Landlord shall take all necessary and reasonable actions to find another Tenant in order to fulfill its duty to mitigate its damages, if any. Any proceeds from re-leasing the Leased Premises shall first be applied to the expenses of re-letting, including redecoration, repair, alteration, advertisement, brokerage, legal, and other reasonably necessary expenses and Tenant shall pay to Landlord all such expenses as Operating Expenses. If the proceeds from re-leasing are, after payment of

expenses, insufficient to pay the full amount of Rent under this Lease, Tenant shall pay such deficiency to Landlord monthly on demand as it becomes due.

- d. All of Landlord's remedies under this Lease are non-exclusive and shall be in addition to all other remedies Landlord may have at law or Equity. Waiver by Landlord of any breach of this Lease shall be effective only if it is in writing and shall not be deemed a waiver of any other breach, or subsequent breach of the same obligation. Landlord's acceptance of any payment by Tenant does not constitute a waiver of any breach by the Tenant and if the acceptance occurs after Landlord's notice of Termination or of Tenant's right to possession, the acceptance shall not affect the termination or reinstate Tenant's right to possession.

26) Accord and Satisfaction. No payment by Tenant or receipt by Landlord of an amount less than the amount due and no endorsement or statement on any check or letter accompanying a check shall be deemed an accord and satisfaction and Landlord may accept such check without prejudice to Landlord's rights to recover the balance due or to pursue any other remedy of this Lease.

27) Abandonment of Leased Premises. If Tenant shall abandon (lack of presence for more than three weeks uninterrupted) or vacate the Leased Premises before the termination of the Lease, or if Landlord re-enters the Leased Premises without termination, Landlord may, at its option and without notice to Tenant, enter the Leased Premises, and re-let the same, or any part thereof, as it may see fit, without thereby voiding or terminating this Lease, and, for the purpose of such re-letting, Landlord is authorized to make any repairs, changes, alterations or additions in or to the Leased Premises, as may, in the sole reasonable discretion of Landlord, be necessary or desirable for the purpose of such re-letting, and if a sufficient sum shall not be realized from such re-letting each month to equal the monthly rental and other charges required of Tenant hereunder, then Tenant agrees to pay such deficiency as Operating Expenses.

28) Involuntary Assignment and Bankruptcy. Neither the Lease, nor the Leasehold estate shall be subject to involuntary assignment, transfer or sale, or to assignment or sale by operation of law in any manner (except through testate or intestate succession) and any such attempt shall be void and of no effect. Further and without limiting the foregoing, if Tenant files or is subject to bankruptcy filings, is deemed insolvent or makes an assignment for the benefit of creditors, has a receiver appointed and any of the foregoing are not dismissed, discharged or overturned within twenty (20) days, the above shall constitute a breach of this Lease and at the election of the Landlord, Landlord may terminate this lease and all rights of the Tenant hereunder and any person or entity claiming by or through the Tenant.

29) Waiver of Breach. The waiver by Landlord or Tenant of any breach of any term, covenant or condition of this Lease shall not be deemed to be a waiver of item or any subsequent breach of the same or any other item. None of the terms, covenants or conditions hereof can be waived without the written consent of the Landlord.

30) Attorneys' Fees. In the event a lawsuit, mediation, or arbitration is brought to enforce the terms and conditions of this Lease, the prevailing party shall be entitled to recover its reasonable attorney's fees and costs and both parties agree that they ask the judge, mediator, or arbitrator "which party is the prevailing party" to such lawsuit.

31) Indemnification. Tenant shall indemnify Landlord and save it harmless from and against all claims, actions, damages, liability and expense (including attorneys' fees) in connection with loss of life, personal injury or damage to property occurring in or about, or arising out of or from the Leased Premises and adjacent sidewalks and areas, or the occupancy or use of Leased Premises by Tenant or its sub-tenants, or occasioned wholly or in part by any act or omission of Tenant, its agents, licensees, invitees, and guests. Landlord shall indemnify Tenant and save it harmless from and against all claims, actions, damages, liability and expense (including attorneys' fees) in connection with loss of life, personal injury or damage to property occurring in or about, or arising out of or

from the Leased Premises and adjacent sidewalks and areas, or the occupancy or use of Leased Premises by Landlord, its agents, licensees, invitees, and guests if such was caused by the willful act or gross negligence of Landlord, its agents, licensees, invitees and guests.

32) Redevelopment of Property. Tenant agrees that Landlord may decide to redevelop and reconstruct the Leased Premises and the building in which they are contained subject to the following conditions: a) Landlord will give Tenant at least one month's notice of its intention to begin construction (specifying the nature of the work, the layout of the new building and Tenant's new space as well as the proposed new rental), which will take place, if possible, during the fall or spring "off seasons"; b) If Tenant is not required to vacate the Leased Premises, the work will be done in a manner so as to inconvenience Tenant and affect its business as little as possible under the circumstances, and if Tenant's business revenues are materially reduced, Tenant's rent shall be abated proportionately; c) if the work requires Tenant to vacate the premises, such as in the case of the complete demolition and reconstruction of the building, Tenant's rent shall fully abate for such period; d) the Base rent shall be adjusted to reflect any increase in the fair market rental of the Leased Premises as a result of the redevelopment; and e) if Tenant does not find its new space or the new rent acceptable, it may cancel this Lease by written notice delivered to Landlord at least sixty days prior to the beginning of construction.

33) Notices. Notices required to be given to the parties to this Lease shall be transmitted by one of the following methods: email; hand delivery; fax; prepaid overnight courier; or by postage paid certified mail, return receipt requested, at the address set forth below for said party; or at such other address as one party notifies the other in writing pursuant to this paragraph. Notice shall be effective when sent via email or fax, when hand delivered, one (1) day after being deposited with an overnight courier or five (5) business days after being placed in the mail.

To Landlord:

Tyler Davis
P.O. Box 12111
Jackson, WY 83002
tylerdavis34@gmail.com

To Tenant:

Tyler Davis
PO Box 12111
Jackson, WY 83002
tylerdavis34@gmail.com

34) Entire Agreement. This Lease contains the entire agreement of the parties on the subject matters dealt with herein and supersedes all prior and contemporaneous agreements and understandings of the parties. Unless set forth in this Lease, no representations, warranties, covenants, contracts, promises or undertakings shall have been made by any party.

35) Miscellaneous.

- a. Time is of the essence.
- b. The parties may execute a short-form memorandum of this Lease in recordable form which may, at either party's option, be placed of record in the Teton County land records.
- c. No partnership or joint venture is created by this Lease. Landlord and Tenant shall be construed to be that relationship of landlord and tenant only.
- d. Paragraph headings in this Lease are for convenience only and are not to be construed as a part hereof or in any way defining, limiting, or amplifying the provisions hereof. The words

"Landlord" and "Tenant," as herein used, shall include the plural as well as the singular. The neuter gender includes the masculine and feminine. Landlord and Tenant agree that if any term, covenant, or condition of this Lease is held to be invalid or void by any court of competent jurisdiction, the invalidity of any such term, covenant, or conditions shall in no way affect any other term, covenant, or condition of this Lease.

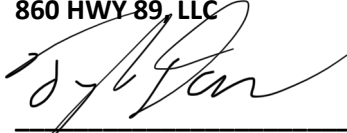
- e. All the terms of this Lease shall be binding upon and inure to the benefit of the parties hereto, their respective heirs, executors, administrators, permitted successors, permitted assigns and legal representatives.
- f. This Lease shall be construed and enforced in accordance with and pursuant to governing Wyoming law.
- g. Tenant may not set off against Rent or Operating Expenses, or other sums due any claims that Tenant has or thinks it has against Landlord.
- h. This Lease may be executed in multiple counterparts, each of which will be deemed an original but all of which counterparts collectively shall constitute one document. Signatures may be exchanged by fax, or scan and email, which signatures shall be accepted and binding as originals.
- i. Tenant shall at any time upon not less than five (5) days prior written notice from Landlord, execute, acknowledge and deliver to Landlord a statement in writing certifying that this Lease is unmodified and in full force and effect (or if modified, stating the nature of such modification) and the date to which the Rent and other charges are paid in advance, and acknowledging that there are not, to Tenant's knowledge, any uncured defaults on the part of Landlord hereunder, or specifying such default if any. Any such statement may be conclusively relied upon by any prospective purchaser or encumbrance to the Leased Premises. Failure to provide such certificate shall constitute a material breach of this Lease.
- j. The parties agree that the venue of any action filed relating to this Lease shall be in the District Court of Teton County, Wyoming, Ninth Judicial District, except that any action for forcible detainer shall be in the Circuit Court of Teton, County, Wyoming; and further provided that if Landlord should bring an action under the forcible detainer law, **Tenant agrees that demand for a jury trial would have the effect of creating an unnecessary delay in taking advantage of what is intended to be a summary proceeding and, accordingly, as a material consideration for Landlord's agreement to enter into this Lease, Tenant hereby waives any jury trial and agrees that it will not demand a trial by jury in such event.**
- k. If either party hereto shall be delayed or hindered in or prevented from the performance of any act required hereunder by reason of labor troubles, inability to procure material, failure of power, restrictive governmental laws or regulations, riots, war or other reason of a like nature not the fault of the party delayed in performing work or doing acts required under the terms hereof, then performance of such act shall be excused for the period of the delay and the period for the performance of any such act shall be extended for a period equivalent to the period of such delay.
- l. No amendment or modification hereof shall be valid or binding unless expressed in writing and executed by the parties hereto in the same manner as the execution hereof.

36) Joint & Several Obligations. All obligations of Landlord and of the Tenant are joint and several.

IN WITNESS WHEREOF, the parties hereto have executed this Lease to be effective as of the Effective Date.

Landlord:

860 HWY 89, LLC



Tyler Davis

9/10/21

Date

Tenant:

Movieworks, LLC



Tyler Davis

9/16/21

Date



October 12th, 2021

**TOWN OF JACKSON
150 E. PEARL AVENUE
JACKSON, WY 83001**

RE: MOVIEWORKS LLC

To whom it may concern:

This letter is to verify that Movieworks LLC is a customer of Bank of Jackson Hole with established demand deposit accounts in good standing at the bank. If you are in need of more information, please do not hesitate to contact me. Please see my contact information below.

Sincerely,

A handwritten signature in blue ink, appearing to read "MO", is placed above the printed name and title.

Matthew L. Oldham
Vice President
Bank of Jackson Hole
990 W. Broadway
PO Box 7000
Jackson WY 83002-7000
Direct Line: (307) 732-3086

STAFF REPORT



Meeting Date:	October 18, 2021	Meeting Title:	Town Council Regular Meeting
Submitting Department:	Administration	Presenter:	Roxanne Robinson
Agenda Item:	2021 Rodeo End of Season Report and 2022 Rodeo Dates	Public Comment:	Yes

Purpose & Policy Considerations.

The purpose of this item is for the Town Council to approve the 2022 rodeo dates for the upcoming rodeo season and accept the 2021 Rodeo Report pursuant to the Rodeo Concession Agreement.

Requested Action.

Staff requests Council approve the rodeo dates for the 2022 Rodeo Season as presented by the Rodeo Concessionaire (JH Rodeo) and accept the 2021 Rodeo Report as presented.

Recommendations.

Staff recommends Town Council approve the rodeo schedule for 2022 as agreed upon by the Administrative Authority (Teton County) and JH Rodeo and accept the 2021 Rodeo Season Report as presented.

Background.

Rodeo Dates

The Rodeo Concession Agreement sets forth that the rodeo shall be produced on Wednesday and Saturday throughout the Rodeo Season (Friday of Memorial Day Weekend through the day after Labor Day), additionally on July 4th and may be produced on eight additional dates upon mutual agreement between JH Rodeo and Teton County. This schedule must then receive approval from the Town Council by October 31 of each year. The proposed rodeo schedule is attached. JH Rodeo has noted 8 additional dates (Fridays). Teton County has requested that the Wednesday, August 3rd rodeo be rescheduled to either Friday, June 24th or Friday, September 2nd to give them more time to adequately clean up after the Teton County Fair has concluded on Sunday, July 31. JH Rodeo would prefer to keep the Wednesday August 3 rodeo date. Staff recommends supporting JH Rodeo on this issue.

Rodeo Report

The Rodeo Concession Agreement sets forth the following language regarding the annual report.

Not later than September 9 of each year of the term hereof, the Concessionaire and the Administrative Authority shall meet to discuss the previous season's rodeo operations, jointly prepare and jointly execute a report for submission to the Town Council, and if necessary, to recommend amendments to this Agreement for the benefit of: (a) the attending public; (b) the Town of Jackson; (c) the Administrative Authority and rodeo contestants. The executed report and any such recommendations of the Concessionaire and Administrative Authority shall be promptly delivered to the Town Council for its consideration not later than September 25 of each year. Priority of consideration shall be given by the Town to those recommendations which are jointly endorsed by the Concessionaire and the Administrative Authority, the intent of this provision being the harmonious operation of a rodeo concession for the benefit of the community and the parties hereto.

There are no recommendations for amendments to the Concession Agreement and the report is attached to the staff report. Teton County and JH Rodeo cooperated well over this past year and have mutually agreed upon the items in the annual report.

Analysis.

Town staff is very pleased with the cooperation shown by JH Rodeo and Teton County.

Possible Alternatives.

The Town Council could grant the request from Teton County to move the Wednesday, August 3rd rodeo to one of the alternate dates.

Comprehensive Plan & Priority Alignment.

Rodeos in Jackson are part of the historic culture of the community and our ranching heritage. Rodeos also add to the diversity and balance of our economy by providing events that allow for local participants from dude and working ranches but also serve the tourist base of our economy. Support for the production of a quality rodeo is also important and relates to Common Value 3, Quality of Life.

Fiscal Impact.

There are no fiscal impacts associated with approval of the 2022 proposed schedule and acceptance of the report. As Phil Wilson mentioned at the October 4 meeting, JH Rodeo provided payment to the Town in the amount of \$285,901.62 for the 2021 rodeo season which is 10% of gross proceeds. Pursuant to the Rodeo Grounds Management Agreement (RGMA) between the Town and the County, the Town passes through a minimum of \$10,000 and a maximum of \$60,000 (at no time exceeding the amount received from the Concessionaire) to Teton County for management of the grounds on our behalf. This pass through of funds usually occurs in the spring following the previous season.

Staff Impact.

The staff impact of approving the rodeo dates is positive in that it provides Town of Jackson and Teton County employees the information they need to plan in advance for use of the rodeo grounds. Preparation of the staff report is estimated at 3 hours of staff time for the Assistant Town Manager and the reviewers.

Attachments or Links.

2022 Proposed Rodeo Schedule and 2021 Annual Report.

Suggested Motion. *Council always has the option to adopt, approve with conditions, continue, or deny items.*
I move to approve the rodeo schedule for 2022 as presented by JH Rodeo and accept the 2021 Rodeo Season Report as presented.

Jackson Hole Rodeo Proposed 2022 Rodeos

MAY						
Sun	Mon	Tue	Wed	Thur	Fri	Sat
22	23	24	25	26	27	28 Rodeo
29	30	31				

JUNE						
			1 Rodeo	2	3	4 Rodeo
5	6	7	8 Rodeo	9	10	11 Rodeo
12	13	14	15 Rodeo	16	17	18 Rodeo
19	20	21	22 Rodeo	23	24	25 Rodeo
26	27	28	29 Rodeo	30		

JULY

					1 Rodeo	2 Rodeo
3	4 Rodeo	5	6 Rodeo	7	8 Rodeo	9 Rodeo
10	11	12	13 Rodeo	14	15 Rodeo	16 Rodeo
17	18	19	20 Rodeo	21	22 Rodeo	23 Rodeo
24	25	26	27 ???Fair???	28	29	30
31						

August

	1	2	3 Rodeo	4	5 Rodeo	6 Rodeo
7	8	9	10 Rodeo	11	12 Rodeo	13 Rodeo
14	15	16	17 Rodeo	18	19 Rodeo	20 Rodeo
21	22	23	24 Rodeo	25	26 Rodeo	27 Rodeo
28	29	30	31 Rodeo			

September

				1	2	3 Rodeo
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Teton County Fair & Fairgrounds

The mission of the Teton County Fair Board is to produce an exceptional fair and administer the year-round use of the fairgrounds while promoting the western heritage, uniting urban and rural communities in celebration.

Rodeo Grounds Walk-Through

Thursday September 16th, 2021 @ 12:15PM

Present: Rachel Grimes, Judi Nickell, Shawn Hochhalter, Bode Wilson, Jason Wheeldon, Levi Wilson

JH Rodeo Maintenance/Improvement Projects for 2022 Season

(These requests were made by the Rodeo Concessionaire and will be considered by Teton County).

- Replace windows in the Crow's Nest with insulated roll-up doors (like the ones that are on the concession stands)
- Tear down roping boxes, chutes, stock pens and re-level/grade the area to the west of the Rodeo Arena
- Pave an ADA Pathway from the NE corner of the Rodeo Arena to the NW uncovered grandstand (approx. 290')
- Move the chain link fence by the NE ticket booth/rodeo entry office and pave the entrance
- Add a line item in the budget every year for arena material

Items to be Addressed by Teton County

(These items were jointly identified by the parties during walk-through and will be addressed by Teton County as soon as possible).

- Replace light bulbs that are out in the cleaning supply room under the covered grandstands
- Replace the hatch door on east rough stock deck
- Hang roping box pads for WY High School Rodeo
- Consult w/ Evan's Construction on laying asphalt in the Rodeo Arena
- Consult w/ Evan's Construction on replacing the Rodeo Arena ground entirely
- Budget for ground material to be brought in every season

Items to be Addressed by JH Rodeo

(These items were jointly identified by the parties during walk-through and will be addressed by the Rodeo Concessionaire as soon as possible).

- Clean all stock pens
- Clean all restrooms
- Fix toilet leak in Men's Restroom under the covered grandstands
- Clean the wall under the hand dryer in the Men's NE Restroom
- Bode is planning to bid on a few roll-up doors that Bar J Chuckwagon has for sale that could replace the windows in the Crow's Nest

STAFF REPORT



Meeting Date:	October 18, 2021	Meeting Title:	Regular
Submitting Department:	Community Development	Presenter:	Tyler Sinclair
Agenda Item:	SUBJECT: ITEM P21-172: Request for a Land Development Regulation (LDR) Text Amendment to remove the term “family” and introduce occupancy limits based on dwelling unit size.	Public Comment:	Yes

Purpose & Policy Considerations.

Town Council consideration of a Text Amendment to the Land Development Regulations (LDRs) to remove the term “family” and introduce residential occupancy limits based on dwelling unit size

Requested Action.

As directed by the Town Council the Town of Jackson Planning Department has drafted an LDR Text Amendment to:

1. Introduce Residential Occupancy Standards
2. Remove and replace the definition “Family”
3. Replace all terms encompassing “family” with “household unit”
4. Delete a Dormitory Use and amend to Group Home Use

Recommendations.

The Community Development Director and Planning Commission recommend **approval** of a LDR Text Amendment to remove the term “family” and introduce residential occupancy limits based on dwelling unit size.

Background.

Ordinance 473 was passed by Town Council on November 15, 1993, amending Town of Jackson Ordinance No. 105 and Section 18.08.200 of the Municipal Code to read as follows:

“The term family as used in this Code shall mean an individual, or two (2) or more persons related by blood, marriage, adoption, or similar legal relationship; or a group of not more than three (3) persons who need not be so related, plus domestic staff employed for services on the premises, living together as a single housekeeping unit in a one-family dwelling or in one unit of a two-family or multiple-family dwelling.”

Notably, subsequent to the adoption of Ordinance 473 the Town adopted a similar but simplified definition of “family” in Section 9.5 of the LDRs that currently reads:

“Family means one or more individuals related by blood, marriage, adoption, or guardianship, or not more than 3 individuals not so related, occupying a dwelling unit and living as a single housekeeping unit.”

Thus, the definition of “family” in Ordinance 473 is no longer applicable and it is the current definition of “family” – which raises many of the same concerns as Ordinance 473 – in the LDRs that is proposed for amendment.

A group of citizens petitioned the Council to eliminate this definition of family for a variety of reasons, including: 1) the definition was perceived as discriminatory towards certain non-traditional family arrangements; 2) limiting dwelling units to no more than 3 unrelated people was a significant barrier to workforce housing that often requires greater densities to be affordable; and 3) that landlords were taking advantage of the 3-person limit to evict tenants from housing or not having tenants on leases, often impacting the most vulnerable workers. Staff have attached the April 19, 2021, staff report which contained significant public comment on this topic.

The Council responded to this public comment at their January 19, 2021, regular meeting, by directing staff to bring forth a workshop item to discuss the definition of family and consider the concerns of the interested petitioners. As directed, a workshop was held on April 19, 2021. At that workshop, Council directed staff to draft a LDR amendment that eliminates the definition of “family” and instead establishes a new maximum occupancy limit for residential units based on health and safety considerations, not based on the personal relationships of the residents. Council’s intent was to consider a new occupancy limit that would allow substantially more than three unrelated or related people from living in the same dwelling unit provided adequate space was provided for each occupant. The general purpose of the Council direction was to remove the definition of “family” while ensuring basic life, safety and welfare provisions and overall livability standards were addressed through limitations on occupancy. With this direction, Staff has since researched the definition of “family” as it relates to occupancy in various localities, as well as other occupancy standards for dwelling units adopted by localities.

Analysis.

Staff

In preparing this item, Staff researched occupancy standards adopted by other localities and assessed the viability of these standards in replacing the Town’s definition of “family” as it relates to dwelling occupancy. This analysis highlighted several examples of residential occupancy standards that could be adopted by the Town or serve as guides in drafting a revised standard. Specifically, staff researched the following codes in development of a recommendation for this item:

- International Building Code
- International Property Maintenance Code
- Loudon County, VA
- Ithaca, NY
- Vero Beach, FL
- Jackson/Teton County Housing Department

These codes and communities utilized a variety of approaches to address this issue including the following:

- Persons per square footage, i.e., 1 person per 200 square feet
- Persons per restroom, i.e., 4 persons per restroom
- Persons per living room, i.e., 1 person per 120 square feet of living room area
- Persons per kitchen, i.e., 3-5 persons per kitchen

- Persons per unit, i.e., 6 persons for unit
- Etc.

Please see the attached Planning Commission (PC) staff reports dated September 15 and October 6, on this item for further discussion and background on the research completed on this topic.

Planning Commission (PC)

The Planning Commission met twice, once on September 15 and again on October 6, regarding this item.

At the September 15 meeting the Commission discussed the removal of the term “family” from the Town LDRs along with what the new basis for regulating occupancy should be for the Town based upon the options and recommendations provided by staff. Commission discussion at this meeting included:

- The Commission generally agreed that the definition of “family” should be removed from the LDRs and replaced with the term “household unit” when necessary.
- The Commission generally agreed that removing the word “adult” from the discussion of determining occupancy was appropriate to maintain consistency with the Building Codes, which include all residents regardless of age when determining occupancy.
- The Commission generally agreed that should bathroom requirements be included in revised occupancy requirements, they should not include a minimum square footage requirement and that the definition should state that a shower **OR** bathtub be required, but not both.
- The Commission generally agreed that should kitchen requirements be included in revised occupancy requirements, they should not include a minimum square footage.
- The Commission had concerns that increasing the allowed occupancy significantly from what is currently allowed could have significant impact on the amount of rent that may be charged. The Commission noted that although the overall supply of housing would grow by increasing allowed occupancy, the affordability of the units may not change.
- The Commission discussed that the goal of the amendment should be to address affordability and safety at the same time. There were concerns that significantly increasing occupancy may lead to overcrowding and unsafe living conditions.
- The Commission had concern that increasing the allowed occupancy significantly in stable, primarily single dwelling unit neighborhoods where owners purchased homes with an expectation that occupancy would be regulated may be an issue. The Commission also discussed the compatibility of dormitory-type occupancies occurring in predominantly single-dwelling unit neighborhoods and that increasing the allowed occupancy significantly may create “dormitories” throughout the community. Specifically, by allowing increased occupancy the Town may be promoting this use of one- and two-unit structures as dormitories.
- The Commission had concern that single dwelling units may be purchased as dormitories (by employers and real estate investment firms) if the allowed occupancy was increased significantly as has already been occurring in the County and Town.
- The Commission had concern that enforcement of any new occupancy regulations must be considered. The Commission was not generally in favor of creating regulations that would/could not be enforced by the Town, as is currently the case. In addition, there was some discussion regarding whether occupancy requirements could be seen as government overreach certainly if not enforceable. In addition, staff discussed that

typically enforcement around this issue was for illegal parking, excessive noise, or other intensity of use complaints, and not exceeding the current occupancy requirements.

- The Commission discussed whether using a similar approach to Teton County limiting the number of unrelated persons to 6 or fewer members of one family instead of the current 3 unrelated persons or members of one family could be an option. Staff commented that this did not seem to meet Council's desire to move away from the definition of "family" and unrelated persons currently utilized by the Town and County.
- The Commission had questions regarding how the International Building Code (IBC) applied the requirement of 1 person per 200 square feet minimum. Staff has confirmed with the Building Department that, for purposes of regulating occupancy under the IBC, this requirement is applied on gross habitable square footage basis. In addition, egress and occupancy loads are utilized in the IBC to regulate this issue, which are above and beyond the 1 person per 200 square feet minimum.
- The Commission requested staff consider a scaled approach to occupancy requirements based upon unit size, to address many of the items discussed by the Commission.

On September 15, the PC continued the item to allow for time for the PC to consider the item and to allow staff to revise its original recommendation for PC consideration at a future meeting.

At the October 6 meeting the Commission reviewed a revised recommendation from staff based upon the direction provided at the September 15 meeting and voted unanimously to recommend approval to Council of the revised staff recommendation as follows.

a) Occupancy Standards for International Residential Code (IRC) structures (1 and 2 household units) would be added to the LDRs as follows:

6.1.4. Residential Uses (7/18/18, Ord. 1198)

A. All Residential Uses

1. **Definition.** A residential use is a living facility, certified under the International Residential or Building Code or by HUD, that includes permanent provision for living, sleeping, eating, cooking, and sanitation.
2. **Standards.**
 - a. No residential unit or portion of a residential unit may be rented such that occupancy is limited to less than 31 days. Short-term rental of less than 31 days shall be considered a lodging use subject to the standards of Sec. 6.1.5. A time-share condominium is considered a residential use as long as the ownership intervals are 31 days or longer. Any ownership intervals of less duration shall be considered a lodging use.
 - b. A residential unit shall have a maximum of one kitchen.
 - c. Occupancy of a camping unit is not a residential use. A camping unit may only be occupied as permitted by 6.1.12.D.
 - d. **Occupancy Requirements for International Residential Code (IRC) Structures**
 - Structures 3000 square feet or less: 1 person per 200 square feet or 4 persons per bathroom, whichever is greater
 - Structures 3001 square feet or more: 1 person per 200 square feet or 4 persons per bathroom, whichever is less
 - Bathroom shall be defined as: a space containing at least one toilet, one sink, and one bathtub or shower
 - e. **Occupancy Requirements for International Building Code (IBC) Structures**
 - Shall be pursuant to the IBC

Staff and the Planning Commission are recommending establishing occupancy standards for structures regulated by the **International Residential Code (IRC)**, which currently have no occupancy requirements for the one-and-two household units this code regulates. Staff and the PC are recommending the Town voluntarily impose occupancy standards for one and two household units to address basic life, safety, welfare concerns along with livability standards as directed by Town Council. Staff developed a scaled occupancy requirement (in red above) to be added to the LDRs as directed by the PC at the September 15 meeting. Staff has provided the chart below illustrating how the proposed requirements would apply to one- and two-family structures.

	Habitable floor area (SF)	# of Full Bathrooms	Occupancy 1 person maximum per 200 sq. ft*	Occupancy 4 persons maximum per bathroom *
Guiding Document although not required			IBC Section 1004.5	Housing Department livability standards
Dwelling Type				
Single-Wide Mobile Home	1000	1	5	4
Studio	350	1	1	4
1-Bedroom Apt/Condo	500	1	2	4
2-Bedroom Apt/Condo	800	1	4	4
2-Bedroom Apt/Condo	800	2	4	8
3-Bedroom House	1500	2	7	8
3-Bedroom House	2000	2	10	8
4-Bedroom House	3000	2	15	8
4-Bedroom House	3000	3	15	12
4-Bedroom House	3300	3	16	12
4-Bedroom House	3300	4	16	16
5-Bedroom House	5000	3	25	12
5-Bedroom House	5000	4	25	16
8-Bedroom House	8000	5	40	20

* Structures 3000 square feet or less: 1 person per 200 square feet or 4 persons per bathroom whichever is greater

Structures 3001 square feet or more: 1 person per 200 square feet or 4 persons per bathroom whichever is less

Staff and the PC are not recommending adding additional occupancy requirements for **International Building Code (IBC)** structures regulating multifamily and townhomes over 4 stories in height. Staff and the PC found that since the Town under State law cannot be less restrictive than the IBC that no further occupancy requirements were appropriate. The IBC occupancy requirements currently in place would remain as follows:

- A. Per the IBC Section 1004.5 (Table) Occupant Load
- B. Per the IBC Section 2902.1 (Table) Dormitories and Boarding Houses, etc.

	Habitable floor area (SF)	# of Full Bathrooms	Occupancy 1 person maximum per 200 sq. ft.	Occupancy 8 persons maximum per bathroom
Required by State Building Code			IBC Section 1004.5-	IBC Section 2902.1- Only for Dormitories, congregate housing, etc.
Dwelling Type				
Studio	350	1	1	8
1-Bedroom Apt/Condo	500	1	2	8
1-Bedroom Apt/Condo	800	1	4	8
2-Bedroom Apt/Condo	800	2	4	16
2-Bedroom Apt/Condo	1500	2	7	16
3-Bedroom Apt/Condo	2000	2	10	16
3-Bedroom Apt/Condo	3000	3	15	24
4-Bedroom Apt/Condo	4000	3	20	24
4-Bedroom Apt/Condo	5000	3	25	24
5-Bedroom Apt/Condo	6500	4	32	32

b) Removal and Replacement of “Family” Definition

Staff and the PC recommend the removal of the term “family” from Section 9.5.F and the addition of the term “household unit” to Section 9.5.H as defined below:

“Individuals occupying a dwelling unit that have established ties and familiarity with each other; share a lease agreement, have consent of the owner to reside on the property, or own the property; jointly use common areas and interact with each other; and share the household expenses such as rent or ownership costs, utilities, and other household and maintenance costs activities.”

Staff and the PC have proposed this replacement as there is still a need to define those individuals living in a residential unit for continuity of the LDRs but in a more generic fashion. There are approximately 200 references to “family” in the LDRs that would be amended by this change.

c) Replacement of Terms Encompassing “Family”

Staff and the PC recommend replacing the terms “attached single-family unit” and “detached single-family unit” with “attached dwelling” and “detached dwelling,” respectively. Staff finds that this will not practically change the definitions of these uses but will remove the term family and any connotations associated with it. There are multiple references to “family” in the LDRs that would be amended by this change. Staff notes that term “family” will continue to be used in referencing the adopted Building Codes as the State of Wyoming requires the Town to adopt the International Building Codes without amendment and term “family” is contained therein.

d) Deletion of Dormitory Use and amendment to Group Home Use

Staff and the PC recommend the deletion of Section 6.1.5.F Dormitory of the LDRs which currently reads as follows:

~~F. Dormitory~~

~~1. Definition. A dormitory is a residential unit occupied by a group of unrelated people not residing as a single family.~~

~~a. Includes:~~

~~i. boarding houses or rooming houses~~

~~ii. residential facilities for students and staff of schools~~

~~iii. residential facilities associated with other types of instruction, education, training, and religious activity~~

~~2. Standards~~

~~a. Maximum density. For purposes of the density calculation, a room shall mean a sleeping room designed for an occupancy of no more than 2 people.~~

Staff and the PC find that this deletion is necessary as the current language would be in conflict with the proposed deletion of the term “family” and the proposed new occupancy standards. Said another way, the proposed amendments would now regulate the number of allowed occupants in a dwelling unit, not the allowed use, which is currently the case.

In addition, staff and the PC are recommending amending Section 6.1.5.G Group Home of the LDRs as follows:

G. Group Home

1. Definition. A group home is a residential unit ~~occupied by more than 3 unrelated individuals,~~ which typically offers shelter, medical and mental health services, and other care-related services to residents.

a. Includes:

i. nursing homes and various assisted living centers

ii. group living facilities with related sheltered care facilities

iii. residential facilities for the developmentally disabled including on-site training facilities

2. Standards

a. Maximum density. For purposes of the density calculation, a room shall mean a sleeping room designed for an occupancy of no more than 2 people.

Staff and the PC find this amendment necessary as the current language would be in conflict with the proposed deletion of the term “family” and the proposed new occupancy standards.

PC discussion and public comment at the October 6 meeting also included:

- The PC found the revised recommendation by staff to be inclusive and reasonable and were supportive with moving the recommendation forward, and monitoring its impact.
- The PC discussed and asked questions regarding how the 3000 square foot dividing line had been established.
- Public comment was received from Clare Stumpf representing Shelter JH. Ms. Stumpf requested that the PC consider also removing the maximum one kitchen requirement from the definition of residential units. Staff explained that this had been put in place in order to regulate unpermitted Accessory Residential Units. The PC appreciated the comments and directed staff to raise this issue as part of a future discussion but choose not to include it as part of this amendment.
- PC had concern with how this amendment would affect current stable single unit neighborhoods

Possible Alternatives.

Staff have provided a variety of alternative regulatory approaches for Council consideration in the attached September 15, Planning Commission staff report.

Comprehensive Plan & Priority Alignment.

The Comprehensive Plan’s third Common Value is ‘Quality of Life,’ which highlights that our community takes pride in our local identity and community character stating that, “We support a variety of lifestyles and employment opportunities, and welcome others to share in the enjoyment of our intact ecosystem and western mountain lifestyle.” The Comprehensive Plan also highlights that our Quality of Life depends on preserving socio-economic diversity and retention of local employment and housing opportunities.

Staff Factors

Pursuant to Section 8.7.1.C of the Town of Jackson Land Development Regulations, the advisability of amending the text of these LDRs is a matter committed to the legislative discretion of the Town Council and is not controlled by any one factor. In deciding to adopt or deny a proposed LDR text amendment the Town Council shall consider factors including, but not limited to, the extent to which the proposed amendment:

1. *Is consistent with the purposes and organization of the LDRs;*

Complies. One of the primary purposes of the LDRs is to implement the community’s housing goals. The proposed text amendment will accomplish this goal by helping to allow for different household types, which is consistent with meeting the goal to house 65% of the workforce locally.

2. Improves the consistency of the LDRs with other provisions of the LDRs;

Complies.

3. Provides flexibility for landowners within standards that clearly define desired character;

Complies. Staff finds that the proposed text amendment provides flexibility for potential landowners to pool financial resources in order to purchase a home, even if the individuals do not meet the traditional definition of a family. This amendment does not exempt the development from compliance with all other applicable LDRs.

4. Is necessary to address changing conditions, public necessity, and/or state or federal legislation;

Complies. Staff finds that the proposed text amendment allows for contemporary household units that are often not based on blood relations. Staff recognizes that those struggling to find stable, affordable housing in the Town regularly choose to live with multiple unrelated individuals to decrease the cost burden to individuals. Members of the community have made public comment and contacted staff, urging the amendment of standards to all for non-traditional household units.

5. Improves implementation of the Comprehensive Plan; and

Not Applicable per Wyoming State statute.

6. Is consistent with other adopted Town Ordinances.

Complies. The proposed amendment does not conflict with any other Town Ordinances.

Fiscal Impact.

None

Staff Impact.

Staff has utilized approximately 40-50 hours to complete research on this topic and prepare this staff report.

Attachments or Links.

Planning Commission staff reports, dated October 6 and September 15
Public Comment

Suggested Motion. *Council always has the option to adopt, approve with conditions, continue, or deny items.*

I move to **approve** the proposed text amendments, based upon factors 1-6 in Section 8.7.1.C of the Land Development Regulations as presented in the October 18, 2021, staff report, and direct staff to prepare the amendments for first ordinance reading at a future Town Council meeting.

STAFF REPORT



Meeting Date:	October 6, 2021	Meeting Title:	Regular Planning Commission
Submitting Department:	Community Development	Presenter:	Tyler Sinclair
Agenda Item:	SUBJECT: ITEM P21-172: Request for a Land Development Regulation (LDR) Text Amendment to remove the term “family” as it relates to residential occupancy and introduce occupancy limits based on dwelling unit size and bathroom requirements.	Public Comment:	Yes

Purpose & Policy Considerations.

All Text Amendments to the Town of Jackson Land Development Regulations (LDRs) require review and recommendation by the Planning Commission according to LDR Section 8.7.1. The Town Council makes the final decision on all LDR Text Amendments.

Requested Action.

As directed by the Town Council the Town of Jackson Planning Department has drafted an LDR Text Amendment to:

1. Introduce Occupancy Standards
2. Remove and Replace the definition “Family”
3. Replace all terms encompassing “Family” with household unit
4. Delete a Dormitory Use and amend to Group Home Use

Recommendation.

The Community Development Director recommends **approval** of LDR Text Amendment (P21-172).

Background.

This item was presented, discussed, and continued by the Commission at the September 15, 2021, Planning Commission meeting. Below staff has summarized Commission discussion and direction on items addressed during that meeting.

- The Commission generally agreed that the definition of “family” should be removed from the LDRs and replaced with the term household when necessary.
- The Commission generally agreed that removing the word “adult” from the discussion of determining occupancy was appropriate to maintain consistency with the Building Codes that include all residents regardless of age when determining occupancy.
- The Commission generally agreed that should bathroom requirements be included in revised occupancy requirements they should not include a minimum square footage requirement and that the definition should state that a shower **OR** bathtub be required but not both.
- The Commission generally agreed that should kitchen requirements be included in revised occupancy requirements they should not include a minimum square footage.
- The Commission had concerns that increasing the allowed occupancy significantly from what is currently allowed could have significant impact on the amount of rent that may be charged. The Commission noted that although the overall supply of housing would grow by increasing allowed occupancy, the affordability of the units may not change.
- The Commission discussed that the goal of the amendment should be to address affordability and safety at the same time. There were concerns that significantly increasing occupancy may lead to overcrowding and unsafe living conditions.

- The Commission had concern that increasing the allowed occupancy significantly in stable, primarily single dwelling unit neighborhoods where owners purchased homes with an expectation that occupancy would be regulated may be an issue. The Commission also discussed the compatibility of dormitory type occupancies occurring in predominantly single dwelling unit neighborhoods and that increasing the allowed occupancy significantly may create “dormitories” throughout the community. Specifically, by allowing increased occupancy the Town may be promoting this use of one- and two-unit structures as dormitories.
- The Commission had concern that single dwelling units may be purchased as dormitories (by employers and real estate investment firms) if the allowed occupancy was increased significantly as has already been occurring in the County and Town.
- The Commission had concern that enforcement of any new occupancy regulations must be considered, the Commission was not generally in favor of creating regulations that would/could not be enforced by the Town as is currently the case. In addition, there was some discussion regarding whether occupancy requirements could be seen as government overreach certainly if not enforceable. In addition, staff discussed that typically enforcement around this issue was for illegal parking, excessive noise, or other intensity of use complaints and not exceeding the current occupancy requirements.
- The Commission discussed whether using a similar approach to Teton County limiting the number of unrelated persons to 6 or fewer members of one family instead of the current 3 unrelated persons or members of one family could be an option. Staff commented that this did not seem to meet Council’s desire to move away from the definition of “family” and unrelated persons currently utilized by the Town and County.
- The Commission had questions regarding how the International Building Code (IBC) applied the requirement of 1 person per 200 square feet minimum. Staff has confirmed with the Building Department that for purposes of regulating occupancy under the IBC this requirement is applied on gross habitable square footage basis. In addition, egress and occupancy loads are utilized in the IBC to regulate this issue above and beyond the 1 person per 200 square feet minimum.
- The Commission requested staff consider a scaled approach to occupancy requirements based upon unit size, to address many of the items discussed by the Commission.

Please see the September 15, 2021, staff report attached for original background information.

Proposed Text Amendment/Analysis

Based upon the Commission discussion and direction given to staff, staff is recommending the following additions and amendments to the Land Development Regulations:

6.1.4. Residential Uses (7/18/18, Ord. 1198)

A. All Residential Uses

1. **Definition.** A residential use is a living facility, certified under the International Residential or Building Code or by HUD, that includes permanent provision for living, sleeping, eating, cooking, and sanitation.
2. **Standards.**
 - a. No residential unit or portion of a residential unit may be rented such that occupancy is limited to less than 31 days. Short-term rental of less than 31 days shall be considered a lodging use subject to the standards of Sec. 6.1.5. A time-share condominium is considered a residential use as long as the ownership intervals are 31 days or longer. Any ownership intervals of less duration shall be considered a lodging use.
 - b. A residential unit shall have a maximum of one kitchen.
 - c. Occupancy of a camping unit is not a residential use. A camping unit may only be occupied as permitted by 6.1.12.D.

- d. **Occupancy Requirements for International Residential Code (IRC) Structures**
 - Structures 3000 square feet or less: 1 person per 200 square feet or 4 persons per bathroom, whichever is greater
 - Structures 3001 square feet or more: 1 person per 200 square feet or 4 persons per bathroom, whichever is less
 - Bathroom shall be defined as: a space containing at least one toilet, one sink, and one bathtub or shower
- e. **Occupancy Requirements for International Building Code (IBC) Structures**
 - Shall be pursuant to the IBC

Staff is recommending establishing occupancy standards for structures regulated by the **International Residential Code (IRC)**, which currently have no occupancy requirements for the one-and-two family dwellings this code regulates. Staff is recommending the Town voluntarily impose occupancy standards for one and two household dwellings to address basic life, safety, welfare concerns along with livability standards as directed by Town Council and discussed by the Commission. Based upon the Commission direction at the last meeting, staff developed a scaled occupancy requirement (in red above) to be added to the LDRs to address this issue. Staff has provided the chart below illustrating how the proposed requirements would apply to one and two-family structures.

	Habitable floor area (SF)	# of Full Bathrooms	Occupancy 1 person maximum per 200 sq. ft*	Occupancy 4 persons maximum per bathroom *
Guiding Document although not required			IBC Section 1004.5	Housing Department livability standards
Dwelling Type				
Studio	350	1	1	4
1-Bedroom Apt/Condo	500	1	2	4
2-Bedroom Apt/Condo	800	1	4	4
2-Bedroom Apt/Condo	800	2	4	8
3-Bedroom House	1500	2	7	8
3-Bedroom House	2000	2	10	8
4-Bedroom House	3000	2	15	8
4-Bedroom House	3000	3	15	12
4-Bedroom House	3300	3	16	12
4-Bedroom House	3300	4	16	16
5-Bedroom House	5000	3	25	12
5-Bedroom House	5000	4	25	16
8-Bedroom House	8000	5	40	20
Single-Wide Mobile Home	1000	1	5	4

* Structures 3000 square feet or less: 1 person per 200 square feet or 4 persons per bathroom whichever is greater
Structures 3001 square feet or more: 1 person per 200 square feet or 4 persons per bathroom whichever is less

Staff is not recommending adding additional occupancy requirements for **International Building Code (IBC)** structures regulating multifamily and townhomes over 4 stories in height. Staff found that since the Town under State law cannot be less restrictive than the IBC that no further occupancy requirements were appropriate. The IBC occupancy requirements currently in place would remain as follows:

- A. Per the IBC Section 1004.5 (Table) Occupant Load
- B. Per the IBC Section 2902.1 (Table) Dormitories and Boarding Houses, etc.

	Habitable floor area (SF)	# of Full Bathrooms	Occupancy 1 person maximum per 200 sq. ft.	Occupancy 8 persons maximum per bathroom
Required by State Building Code			IBC Section 1004.5-	IBC Section 2902.1- Only for Dormitories, congregate housing, etc.
Dwelling Type				
Studio	350	1	1	8
1-Bedroom Apt/Condo	500	1	2	8
1-Bedroom Apt/Condo	800	1	4	8
2-Bedroom Apt/Condo	800	2	4	16
2-Bedroom Apt/Condo	1500	2	7	16
3-Bedroom Apt/Condo	2000	2	10	16
3-Bedroom Apt/Condo	3000	3	15	24
4-Bedroom Apt/Condo	4000	3	20	24
4-Bedroom Apt/Condo	5000	3	25	24
5-Bedroom Apt/Condo	6500	4	32	32

b) Removal and Replacement of “Family” Definition

Staff recommends the removal of the term “family” from Section 9.5.F and the addition of the term “household unit” to Section 9.5.H as defined below:

“Individuals occupying a dwelling unit that have established ties and familiarity with each other; share a lease agreement, have consent of the owner to reside on the property, or own the property; jointly use common areas and interact with each other; and share the household expenses such as rent or ownership costs, utilities, and other household and maintenance costs activities.”

Staff have proposed this replacement as there is still a need to define those individuals living in a residential unit for continuity of the LDRs but in a more generic fashion. There are approximately 200 references to “family” in the LDRs that would be amended by this change.

c) Replacement of Terms Encompassing “Family”

Staff recommends replacing the terms “attached single-family unit” and “detached single-family unit” with “attached dwelling” and “detached dwelling,” respectively. Staff finds that this will not practically change the definitions of these uses but will remove the term family and any connotations associated with it. There are

multiple references to “family” in the LDRs that would be amended by this change. Staff notes that term “family” will continue to be used in referencing the adopted Building Codes as the State of Wyoming requires the Town to adopt the International Building Codes without amendment and term “family” is contained therein.

d) Deletion of Dormitory Use and amendment to Group Home Use

Staff recommends the deletion of Section 6.1.5.F Dormitory of the LDRs which currently reads as follows:

~~F. Dormitory~~

~~1. Definition. A dormitory is a residential unit occupied by a group of unrelated people not residing as a single family.~~

~~a. Includes:~~

~~i. boarding houses or rooming houses~~

~~ii. residential facilities for students and staff of schools~~

~~iii. residential facilities associated with other types of instruction, education, training, and religious activity~~

~~2. Standards~~

~~a. Maximum density. For purposes of the density calculation, a room shall mean a sleeping room designed for an occupancy of no more than 2 people.~~

Staff finds that this deletion is necessary as the current language would be in conflict with the proposed deletion of the term “family” and the proposed new occupancy standards. Said another way, the proposed amendments would now regulate the number of allowed occupants in a dwelling unit, not the allowed use, which is currently the case.

In addition, staff is recommending amending Section 6.1.5.G Group Home of the LDRs as follows:

G. Group Home

1. Definition. A group home is a residential unit occupied by more than 3 unrelated individuals, which typically offers shelter, medical and mental health services, and other care-related services to residents.

a. Includes:

i. nursing homes and various assisted living centers

ii. group living facilities with related sheltered care facilities

iii. residential facilities for the developmentally disabled including on-site training facilities

2. Standards

a. Maximum density. For purposes of the density calculation, a room shall mean a sleeping room designed for an occupancy of no more than 2 people.

Staff finds this amendment necessary as the current language would be in conflict with the proposed deletion of the term “family” and the proposed new occupancy standards

Comprehensive Plan & Priority Alignment.

The Comprehensive Plan's third Common Value is 'Quality of Life,' which highlights that our community takes pride in our local identity and community character stating that, "We support a variety of lifestyles and employment opportunities, and welcome others to share in the enjoyment of our intact ecosystem and western mountain lifestyle." The Comprehensive Plan also highlights that our Quality of Life depends on preserving socio-economic diversity and retention of local employment and housing opportunities.

Staff Factors

Pursuant to Section 8.7.1.C of the Town of Jackson Land Development Regulations, the advisability of amending the text of these LDRs is a matter committed to the legislative discretion of the Town Council and is not controlled by any one factor. In deciding to adopt or deny a proposed LDR text amendment the Town Council shall consider factors including, but not limited to, the extent to which the proposed amendment:

1. *Is consistent with the purposes and organization of the LDRs;*

Complies. One of the primary purposes of the LDRs is to implement the community's housing goals. The proposed text amendment will accomplish this goal by helping to allow for different household types, which is consistent with meeting the goal to house 65% of the workforce locally.

2. *Improves the consistency of the LDRs with other provisions of the LDRs;*

Complies.

3. *Provides flexibility for landowners within standards that clearly define desired character;*

Complies. Staff finds that the proposed text amendment provides flexibility for potential landowners to pool financial resources in order to purchase a home, even if the individuals do not meet the traditional definition of a family. This amendment does not exempt the development from compliance with all other applicable LDRs.

4. *Is necessary to address changing conditions, public necessity, and/or state or federal legislation;*

Complies. Staff finds that the proposed text amendment allows for contemporary household units that are often not based on blood relations. Staff recognizes that those struggling to find stable, affordable housing in the Town regularly choose to live with multiple unrelated individuals to decrease the cost burden to individuals. Members of the community have made public comment and contacted staff, urging the amendment of standards to all for non-traditional household units.

5. *Improves implementation of the Comprehensive Plan; and*

Not Applicable per Wyoming State statute.

6. *Is consistent with other adopted Town Ordinances.*

Complies. The proposed amendment does not conflict with any other Town Ordinances.

FISCAL IMPACT:

None.

STAFF IMPACT:

Staff has utilized approximately 40-50 hours to complete research on this topic and prepare this staff report.

ATTACHMENTS OR LINKS

Planning Commission staff report, dated September 20, 2021

Town Council Workshop staff report dated April 19, 2021

SUGGESTED MOTION

I move to recommend **approval** to the Town Council of the proposed text amendments, based upon factors 1-6 in Section 8.7.1.C of the Land Development Regulations as presented in the October 6, 2021, staff report.

STAFF REPORT



Meeting Date:	September 15, 2021	Meeting Title:	Regular Planning Commission
Submitting Department:	Community Development	Presenter:	Tyler Sinclair
Agenda Item:	SUBJECT: ITEM P21-172: Request for a Land Development Regulation (LDR) Text Amendment to and to remove the term "family" as it relates to residential occupancy and introduce occupancy limits based on dwelling unit size.	Public Comment:	Yes

PURPOSE & POLICY CONSIDERATIONS:

All Text Amendments to the Town of Jackson Land Development Regulations (LDRs) require review and recommendation by the Planning Commission according to LDR Section 8.7.1. The Town Council makes the final decision on all LDR Text Amendments.

REQUESTED ACTION:

As directed by the Town Council the Town of Jackson Planning Department has drafted an LDR Text Amendment to:

1. Introduction of Occupancy Standards
2. Removal and Replacement of "Family" Definition
3. Replacement of Terms Encompassing "Family"
4. Definition of Adult included
5. Deletion of Dormitory Use and amendment to Group Home Use

RECOMMENDATION:

The Planning Director recommends **approval** of LDR Text Amendment (P21-172).

BACKGROUND:

Ordinance 473 was passed by Town Council on November 15, 1993, amending Town of Jackson Ordinance No. 105 and Section 18.08.200 of the Municipal Code to read as follows:

"The term family as used in this Code shall mean an individual, or two (2) or more persons related by blood, marriage, adoption, or similar legal relationship; or a group of not more than three (3) persons who need not be so related, plus domestic staff employed for services on the premises, living together as a single housekeeping unit in a one-family dwelling or in one unit of a two-family or multiple-family dwelling."

Notably, subsequent to the adoption of Ordinance 473 the Town adopted a similar but simplified definition of "family" in Section 9.5 of the LDRs that currently reads:

“Family means one or more individuals related by blood, marriage, adoption, or guardianship, or not more than 3 individuals not so related, occupying a dwelling unit and living as a single housekeeping unit.”

Thus, the definition of “family” in Ordinance 473 is no longer applicable and it is the current definition of “family” – which raises many of the same concerns as Ordinance 473 – in the LDRs that is proposed for amendment.

A group of citizens petitioned the Council to eliminate this definition of family for a variety of reasons, including: 1) the definition was perceived as discriminatory towards certain non-traditional family arrangements; 2) limiting dwelling units to no more than 3 unrelated people was a significant barrier to workforce housing that often requires greater densities to be affordable; and 3) that landlords were taking advantage of the 3-person limit to evict tenants from housing or not having tenants on leases, often impacting the most vulnerable workers. Staff have attached the April 19, 2021, staff report which contained significant public comment on this topic.

The Council responded to this public comment on January 19, 2021, by directing staff to bring forth a workshop item to discuss the definition of family and consider the concerns of the interested petitioners. As directed, a workshop was held on April 19, 2021. At that workshop, Council directed staff to draft a LDR amendment that eliminates the definition of “family” and instead establishes a new maximum occupancy limit for residential units based on health and safety considerations, not based on the personal relationships of the residents. Council’s intent was to consider a new occupancy limit that would allow substantially more than three unrelated or related people from living in the same dwelling unit provided adequate space was provided for each occupant. The general purpose of the Council direction was to remove the definition of family while ensuring basic life, safety and welfare provisions and overall livability standards were addressed through limitations on occupancy. With this direction, Staff has since researched the definition of family as it relates to occupancy in various localities, as well as other occupancy standards for dwelling units adopted by localities.

STAFF ANALYSIS:

Staff researched occupancy standards adopted by other localities and assessed the viability of these standards in replacing the Town’s definition of family as it relates to dwelling occupancy. This analysis highlights several examples of residential occupancy standards that could be adopted by the Town or serve as guides in drafting a revised standard.

Key Issue #1: What should be the basis for new occupancy standards in the Town?

1. International Building Code

Overview: The International Building Code (IBC) standards apply to all residential buildings within the Town with more than two dwelling units and serve to ensure the life-safety of occupants. Section 1004 of the IBC states that residential units must provide a minimum of 200 SF of gross floor area per occupant, however, enforcement is complaint-based only and has rarely or ever been pursued.

Discussion: Houses and duplexes (one-family and two-family homes) are subject to International Residential Code (IRC) standards, rather than IBC standards. The IRC does not stipulate occupancy limitations. The Town could adopt the occupancy standards of the IBC (200 SF per occupant) as part of the LDRs for all residential structures. The adoption of one unified standard could help prevent confusion. However, as shown in Table 3, the 200 SF per occupant figure is particularly restrictive for smaller dwelling units. For example, enforcement of the IBC occupancy standard would prevent two adults from sharing a 350 SF studio apartment.

2. International Property Maintenance Code

Overview: The provisions of the International Property Maintenance Code (IPMC), which the Town has not adopted, apply to all existing residential and nonresidential structures to “establish minimum requirements to provide a reasonable level of health, safety, property protection, and general welfare.” The IPMC outlines minimum room sizes for different residential occupancies as follows:

Table 1: IPMC Occupancy Standards

Space	Minimum floor area in SF		
	1-2 occupants	3-5 occupants	6 or more occupants
Living room	120	120	150
Dining room	No requirement	80	100
Bedrooms	50 SF per occupant; 70 SF minimum		

Discussion: The underlying principle of minimum room sizes is well-intentioned, but it may complicate the enforcement of occupancy standards. While the overall habitable floor area of residential structures is often easily accessible through GIS records, determining the dimensions of individual rooms would require staff to locate and reference floor plans or take measurements on-site. Moreover, staff recommends that occupancy standards should be made on the basis of floor area as it relates to life-safety, rather than amenity provision.

3. Loudon County, VA

Overview: Loudon County has adopted occupancy standards nearly identical to those of the IPMC with additional stipulations that kitchens for dwellings with 1-5 occupants must be a minimum of 50 SF, and that kitchens for dwellings with 6 or more occupants must a minimum of 60 SF.

Discussion: Staff finds that the Loudon County’s additional standards for kitchen size help to unify minimum standards for room size. However, as Loudon County’s occupancy standards are derivative of the IPMC, they have similar shortcomings with regard to enforcement and may not be directly linked to the life-safety of occupants.

4. Ithaca, NY

Overview: The City of Ithaca Municipal Code provides occupancy standards based on the size of sleeping rooms and overall habitable space as shown below:

Table 2: Ithaca Occupancy Standards

Max number of occupants	Sleeping room(s) size (Min. SF)	Overall habitable space (Min. SF)
1	80-119	150-249
2	120-179	250-349
3	180-239	350-449
4 or more	240, plus 60 for each additional person	450, plus 100 for each additional person

For dwelling units without separate sleeping rooms (i.e., studio apartments), maximum occupancy of the dwelling unit is based on the amount of overall habitable space only. Note that the overall habitable space figure does not include “kitchens, bathrooms, or other non-habitable spaces.”

Discussion: The occupancy standards used in Ithaca are easy to comprehend and enforce. These standards are more permissive than the similar IBC regulations, which can make a significant impact in the occupancy of small apartments.

5. Vero Beach, FL

Overview: The City of Vero Beach has adopted occupancy standards similar to those of Ithaca with 150 SF of habitable floor area required for the first occupant, plus 100 SF for each additional occupant. Vero Beach requires rooms used for sleeping purposes to have a minimum area of 70 SF for one occupant, plus 50 SF per additional occupant.

Discussion: The occupancy requirements of Vero Beach highlight the relative ubiquity of the “150 SF + 100 SF per additional” standard. The Vero Beach regulations use the same bedroom size requirements used by the IPMC, which are slightly more forgiving than those adopted by Ithaca.

5. Jackson/Teton County Housing Department

Overview: The Rules and Regulations for the Jackson/Teton County Housing Department outline minimum provisions for residential units, including a minimum area of 120 SF for the first bedroom in a unit and a minimum size of 90 SF for each additional bedroom. The living/dining room requirements are based on providing adequate space for various furnishings, rather than a standard based on occupancy.

The Housing Department has standards for dormitories that mirror Ithaca and Vero Beach in requiring a minimum of 150 SF of overall habitable area for the first occupant, plus 100 SF for each additional occupant. Additionally, our local Housing Rules and Regulations require that one bathroom be provided for shared use by no more than four persons, containing at least one toilet, one sink, one bathtub with a shower in a space of at least 60 SF.

Discussion: The minimum standards for dormitories set out by the Housing Department provide a strong baseline for occupancy standards to be applied across all Town dwellings. As stated previously, the “150 SF + 100 SF per additional” standard for overall habitable space has been adopted by multiple localities. Additionally, the requirement of one bathroom per 4 occupants lays out a simple standard for sanitation that is rooted in the overall goals of occupancy standards – ensuring residents are living in conditions that can provide for safe, healthy living.

Comparison of Standards

Tables 3 and 4 provide examples of dwellings commonly found in the Town of Jackson and show the maximum occupancies of these dwellings based on different occupancy standards. For the purpose of brevity, staff has identified that the occupancy standards adopted by Loudon County, VA and Ithaca, NY are similar to other standards. Those two standards have subsequently been excluded from the comparison.

While the occupancy standards of the IBC, Vero Beach, and the Housing Department are largely based on the amount of overall habitable space in a dwelling, the IPMC standard depends on the floor areas of various rooms within a dwelling. With that in mind, occupancy based on the IPMC standard is shown separately in Table 4. The example dwellings in each table are the same, with Table 4 providing an additional level of detail.

It should be noted that different occupancy standards use the terms “net livable floor area,” “habitable floor area,” and “gross floor area,” each of these terms having a slightly different definition. Staff has determined that

any occupancy standard would be enforced based on the total habitable floor area of a dwelling as defined by Section 9.5.H of the LDRs:

“Habitable floor area is the floor area that can be used for living purposes, usually having access to heat, plumbing, and electricity. Habitable floor area includes studios, exercise rooms, offices, and similar spaces. It also includes foyers, hallways, restrooms, storage, and other common areas within a building. Habitable floor area does not include barns, garages, or unfinished attic space.”

Table 3: Occupancy Standard Comparison

Dwelling Type	Habitable floor area (SF)	# of Full Bathrooms	IBC Occupancy (#of persons)	Vero Beach Occupancy (#of persons)	Housing Department Dormitory Occupancy (#of persons)
Studio	350	1	1	3	3
1-Bedroom Apt/Condo	500	1	2	4	4
2-Bedroom Apt/Condo	800	1	4	7	4
3-Bedroom House	1500	2	7	14	8
4-Bedroom House	3000	3	15	29	12
5-Bedroom House	5000	4	25	49	16
Single-Wide Mobile Home	1000	1	5	9	4

As discussed previously and shown in Table 3, the IBC occupancy standard is particularly restrictive for smaller dwelling units in comparison to the Vero Beach and Housing Department standards. In contrast, for larger dwellings, the “1 bathroom per 4 occupants” requirement of the Housing Department standard limits the occupancy of larger dwellings compared to the IBC and Vero Beach standards.

The IPMC calculations in Table 4 below assume that all bedrooms in the dwelling are the same size.

Table 4: IPMC Examples

Dwelling Type	Habitable floor area (SF)	# of Bathrooms	Living Room (SF)	Dining Room (SF)	Bedroom Dimensions	IPMC Occ
Studio	350	1	≥120	N/A	*10'x10'*	2
1-Bedroom Apt/Condo	500	1	≥120	≥100	10'x10'	2
2-Bedroom Apt/Condo	800	1	≥150	≥100	11'x11'	2
3-Bedroom House	1500	2	≥150	≥100	12'x12'	5

4-Bedroom House	3000	3	≥150	≥100	12'x15'	10
5-Bedroom House	5000	4	≥150	≥100	15'x15'	18
Single-Wide Mobile Home	1000	3	≥150	≥100	11'x11'	7

Effective bedroom area for a studio apartment

While not as restrictive as the IBC, the bedroom size requirements of the IPMC limit the occupancy of smaller dwellings more severely than the Vero Beach and Housing Department standards. As dwelling size increases, occupancy based on the IPMC is similar to the Housing Department standards.

Key Issue #2: Consideration of Occupants under 18 years of age with Regard to Occupancy Standards

A significant decision in the adoption of occupancy standards, regardless of the specific standard selected, is whether persons under the age of 18 years living in a dwelling unit will be counted toward the total number of occupants. The omission of children from occupancy standards would allow for increased density and allow larger families more leeway in complying with standards. An argument in favor of omitting children in occupancy requirements is that children are likely to have a smaller impact on neighborhood character than adults with regard to parking, traffic, noise, etc. and is consistent with the removal of the term “family” and relationship there to. Staff finds that although life safety based the Town’s consideration of occupancy standards are also related to livability as currently addressed by the Housing Department.

Conclusions from Analysis

a) Introduction of Occupancy Standards

Staff recommends applying the Housing Department occupancy standards for dormitories across all dwelling units in the Town. In addition, Staff recommends amending these standards to omit persons under the age of 18 years from dwelling occupancy counts in the LDRs as follows:

6.1.4. Residential Uses (7/18/18, Ord. 1198)

A. All Residential Uses

1. **Definition.** A residential use is a living facility, certified under the International Residential or Building Code or by HUD, that includes permanent provision for living, sleeping, eating, cooking, and sanitation.
2. **Standards.**
 - a. No residential unit or portion of a residential unit may be rented such that occupancy is limited to less than 31 days. Short-term rental of less than 31 days shall be considered a lodging use subject to the standards of Sec. 6.1.5. A time-share condominium is considered a residential use as long as the ownership intervals are 31 days or longer. Any ownership intervals of less duration shall be considered a lodging use.
 - b. A residential unit shall have a maximum of one kitchen.
 - c. Occupancy of a camping unit is not a residential use. A camping unit may only be occupied as permitted by 6.1.12.D.

- d. There shall be a minimum of 150 SF of habitable floor area for the first adult occupant, plus 100 SF for each additional adult occupant
- e. At least one bathroom shall be provided for shared use by no more than four adult occupants, containing at least one toilet, one sink, one bathtub with a shower, and a total area of at least 60 habitable square feet.

b) Removal and Replacement of “Family” Definition

Staff recommends the removal of the term “family” from Section 9.5.F and introducing the term “household unit” to Section 9.5.H as defined below:

“Individuals occupying a dwelling unit that have established ties and familiarity with each other; share a lease agreement, have consent of the owner to reside on the property, or own the property; jointly use common areas and interact with each other; and share the household expenses such as rent or ownership costs, utilities, and other household and maintenance costs activities.”

Staff have proposed this replacement as there is still a need to define those individuals living in a residential unit for continuity of the LDRs but in a more generic fashion.

c) Replacement of Terms Encompassing “Family”

Staff recommends replacing the terms “attached single-family unit” and “detached single-family unit” with “attached dwelling” and “detached dwelling,” respectively. Staff finds that this will not practically change the definitions of these uses but will remove the term family and any connotations associated with it. There are approximately 200 references to “family” in the LDRs that would be amended by this change.

d) Definition of Adult included

Staff is also recommending that Article 9 of the LDRs be amended to include a definition of “adult” as follows:

An individual of 18 years of age or older

e) Deletion of Dormitory Use and amendment to Group Home Use

Staff recommends the deletion of Section 6.1.5.F Dormitory of the LDRs which currently reads as follows:

~~F. Dormitory~~

~~1. Definition. A dormitory is a residential unit occupied by a group of unrelated people not residing as a single family.~~

~~a. Includes:~~

~~i. boarding houses or rooming houses~~

~~ii. residential facilities for students and staff of schools~~

~~iii. residential facilities associated with other types of instruction, education, training, and religious activity~~

~~2. Standards~~

~~a. Maximum density. For purposes of the density calculation, a room shall mean a sleeping room designed for an occupancy of no more than 2 people.~~

Staff finds that this deletion is necessary as the current language would be in conflict with the proposed deletion of the term “family” and the proposed new occupancy standards. Said another way the proposed amendments would now regulate the number of allowed occupants in a dwelling unit not the allowed use which is currently the case.

In addition, staff is recommending amending Section 6.1.5.G Group Home of the LDRs as follows:

G. Group Home

1. Definition. A group home is a residential unit ~~occupied by more than 3 unrelated individuals~~, which typically offers shelter, medical and mental health services, and other care-related services to residents.

a. Includes:

i. nursing homes and various assisted living centers

ii. group living facilities with related sheltered care facilities

iii. residential facilities for the developmentally disabled including on-site training facilities

2. Standards

a. Maximum density. For purposes of the density calculation, a room shall mean a sleeping room designed for an occupancy of no more than 2 people.

Staff finds this amendment necessary as the current language would be in conflict with the proposed deletion of the term “family” and the proposed new occupancy standards.

COMPREHENSIVE PLAN & PRIORITY ALIGNMENT:

The Comprehensive Plan’s third Common Value is ‘Quality of Life,’ which highlights that our community takes pride in our local identity and community character stating that, “We support a variety of lifestyles and

employment opportunities, and welcome others to share in the enjoyment of our intact ecosystem and western mountain lifestyle.” The Comprehensive Plan also highlights that our Quality of Life depends on preserving socio-economic diversity and retention of local employment and housing opportunities.

Staff Factors

Pursuant to Section 8.7.1.C of the Town of Jackson Land Development Regulations, the advisability of amending the text of these LDRs is a matter committed to the legislative discretion of the Town Council and is not controlled by any one factor. In deciding to adopt or deny a proposed LDR text amendment the Town Council shall consider factors including, but not limited to, the extent to which the proposed amendment:

1. Is consistent with the purposes and organization of the LDRs;

Complies. One of the primary purposes of the LDRs is to implement the community’s housing goals. The proposed text amendment will accomplish this goal by helping to allow for different household types, which is consistent with meeting the goal to house 65% of the workforce locally.

2. Improves the consistency of the LDRs with other provisions of the LDRs;

Complies.

3. Provides flexibility for landowners within standards that clearly define desired character;

Complies. Staff finds that the proposed text amendment provides flexibility for potential landowners to pool financial resources in order to purchase a home, even if the individuals do not meet the traditional definition of a family. This amendment does not exempt the development from compliance with all other applicable LDRs.

4. Is necessary to address changing conditions, public necessity, and/or state or federal legislation;

Complies. Staff finds that the proposed text amendment allows for contemporary household units that are often not based on blood relations. Staff recognizes that those struggling to find stable, affordable housing in the Town regularly choose to live with multiple unrelated individuals to decrease the cost burden to individuals. Members of the community have made public comment and contacted staff, urging the amendment of standards to allow for non-traditional household units.

5. Improves implementation of the Comprehensive Plan; and

Not Applicable per Wyoming State statute.

6. Is consistent with other adopted Town Ordinances.

Complies. The proposed amendment does not conflict with any other Town Ordinances.

FISCAL IMPACT:

None.

STAFF IMPACT:

Staff has utilized approximately 40-50 hours to complete research on this topic and prepare this staff report.

ATTACHMENTS OR LINKS

Town Council Workshop staff report dated April 19, 2021

SUGGESTED MOTION

I move to recommend **approval** to the Town Council of the requested text amendments, based upon factors 1-6 in Section 8.7.1.C of the Land Development Regulations as presented in the staff report, subject to this staff report.

STAFF REPORT



Meeting Date:	April 19, 2021	Meeting Title:	Workshop
Submitting Department:	Community Development	Presenter:	Tyler Sinclair
Agenda Item:	Land Development Regulations – Definition of Family Consideration of Repeal or Amendment	Public Comment:	Yes

Purpose & Policy Considerations.

To consider keeping, repealing, or amending the definition of family in the Town's Land Development Regulations.

Requested Action.

To consider keeping, repealing, or amending the definition of Family in the Town of Jackson's Land Development Regulations that currently states:

Family means one or more individuals related by blood, marriage, adoption, or guardianship, or not more than 3 individuals not so related, occupying a dwelling unit and living as a single housekeeping unit.

Recommendations.

Staff have not provided a recommendation on this item.

Background.

Ordinance 473 was approved by the Town Council by Emergency Ordinance on November 15, 1993 establishing a definition of family for the first time in the Town. In reviewing the meeting minutes from that period, it appears the definition was put in place to address financing issues identified by local lenders related to Freddie Mac and Fannie Mae possibly related to deed restricted housing at the time. It also appears the definition was put in place to maintain the character of single-family neighborhoods. Staff notes that the record is not clear on the original purpose of the adoption of the definition. Since that time, the definition of family has been moved from the Municipal Code to the Land Development Regulations and updated and clarified once. The Town Planning Department has utilized the following interpretation to assist in its implementation of this requirement since its original adoption:

- *A married couple constitutes a family. (Please note that two (2) married couples constitutes two (2) families, and therefore, may not live together in a single housekeeping unit intended for a single family). A brother and sister living together would also constitute a family.*
- *Up to 3 unrelated individuals may live together.*
- *If two (2) adults living in the single housekeeping unit are related by blood, marriage, adoption or guardianship, only one (1) additional unrelated person may also reside in the unit. Please note that a fourth (4th) unrelated individual may not live in the unit.*
- *Persons under the age of eighteen (18) are not considered in the interpretation of this definition. Therefore, any number of children related to any of the adults by blood, adoption or guardianship may live in a single housekeeping unit.*

The Town has enforced Ordinance 473 primarily on a complaint driven basis since its adoption with limited success, with violations often correcting themselves at the end of a lease term or season. On average, however, the Town receives approximately 1-2 formal complaints per year regarding violations of the family definition, so enforcement cases are relatively rare. The Town has had more success enforcing some seemingly associated impacts including parking, noise, and garbage violations than of the definition itself. Staff does find that there is general awareness and compliance with the current definition by property owners, landlords and tenants within the Town.

Recently, community members have raised questions about the appropriateness of Ordinance 473 and questioned the policy it establishes. Questions involve the government defining a family in general; whether the ordinance impacts housing affordability by legally limiting the number of people living in a dwelling; and whether the definition is out of step with modern social standards on household composition. On the other hand, some community members suggest the Town should maintain a legal standard for household composition to limit noise, increased traffic, litter, illegal parking, and a general decline in the quality of life for permanent residents that, some argue, higher occupancy numbers produce.

Analysis/Alternatives

Staff finds that like many other community's the Town's current definition of family combines two issues: 1) it provides a definition of family and 2) sets maximum occupancy limits for unrelated individuals living in residential dwellings. Staff recommends that we decouple these two separate issues for purposes of discussion and consideration. Below staff has provided various options and discussion for Council to consider.

Definition of Family

Option 1 - Status Quo

Maintain the current definition of family that states "*family means one or more individuals related by blood, marriage, adoption, or guardianship.*" Staff notes that the definition of terms such as marriage, adoption and guardianship have changed since 1993 and these updated definitions are thus incorporated in the current Town definition without amendment.

Option 2: Update the Town's definition to "functional family" or "single housekeeping unit"

The purpose of this approach is often to define family based on whether a group functions as a single housekeeping unit including characteristics that distinguish them from only roommates including:

- emotional interdependence,
- commitment to the long term,
- caretaking and responsibility for each other's wellbeing, and
- financial intermingling.

Communities have found it often difficult to transform such psycho-social views of the family into legal rules to determine the legal rights and obligations that flow from certain relationships. The need to create regulatory zoning codes has resulted in a functional family often being defined as one that partakes in communal cooking. Additional factors that have been explored include pooled finances; division of housekeeping or child or pet care responsibilities; shared travel; and the duration of the relationship. Some definitions include that property owners who make money through their

housemates' rent or service fees do not qualify as functional families. One consideration with this, and all options, is the ability for the Town to enforce the rule.

Utilizing this approach to amend the code to include “functional families” may work towards a goal of having single-families live together (if this remains a goal of Council). If Council sees fit to retain and redefine family as a functional family this may be an approach to consider. Staff have provided an example of this approach from Tucson, Arizona as follows:

Family: Any number of individuals customarily living together as a single household and using common cooking facilities.

Option 3 – Repeal any Definition of Family

As mentioned above if Council finds that defining family is out of step with modern social standards or for any other reason is not necessary or desired by the Town it could be repealed. One drawback of this approach is the frequent use of the term throughout the LDRs, which would require significant additional amendments to address (this topic is discussed further below).

Occupancy Limit

Option 1 - Status Quo

Maintain the current occupancy limits contained within the definition of family that state “*not more than 3 individuals not so related, occupying a dwelling unit and living as a single housekeeping unit.*” See further discussion above.

Option 2: Amend the LDRs to include maximum occupancy restrictions.

Rather than using the definition of family to limit occupancy, municipalities also use maximum occupancy restrictions as a solution limiting the number of occupants of a dwelling in reasonable relation to available sleeping and bathroom facilities (i.e., 5 adults per bathroom) or requiring a minimum amount of habitable floor area per occupant (i.e., 1 person per 200 square feet). Alternatively, Council could choose a number of unrelated adult occupants able to live together greater than the current 3. For example, Teton County sets the maximum occupancy of unrelated occupants at 6.

Option 3: Do Not Implement any Occupancy Restrictions.

Council does have the option to repeal the definition of family from the LDRs and not adopt any occupancy limit, which would result in the Building Code occupancy standards controlling occupancy in the Town. This would result in no occupancy limits in single family and two-family dwellings, but in apartments, condos and townhouses over 3 stories, there would be a requirement of 1 person per 200 square feet.

Other Parts of the Land Development Regulations

As with changing any LDR, it often impacts other portions of the regulations that will need to be considered. Staff has identified a preliminary list of LDR sections that may be affected by repealing or amending the definition of family. Generally, the LDRs use the definition of family primarily in defining residential uses, most notably staff finds that definitions of “Detached Single-family Unit”; “Attached Single-family Unit”; “Apartment”; “Townhouse”; “Mobile Home”; “Dormitory”; “Group Home”; “Accessory Residential Unit”; “Family Home Day Care”; “Home Daycare Center” and “Kitchen” would need

to be reviewed in depth. Specifically, staff identified the following areas for initial consideration when deliberating this issue:

- **Group home** is currently defined as a “residential unit occupied by more than 3 unrelated individuals, which typically offers shelter, medical and mental health services, and other care-related services to residents.” Eliminating the definition of “family” may require a redefinition of group home. Council may want to continue to distinguish and regulate separately group home households that live together for assistance/dependency reasons, examples of which include nursing homes; assisted living centers; group living facilities with related sheltered care facilities; residential facilities for the developmentally disabled, including on-site training facilities.
- **Dormitory** is currently defined as “a residential unit occupied by a group of unrelated people not residing as a single family . . . Include[ing] boarding houses or rooming houses[;] residential facilities for students and staff of schools; [and] residential facilities associated with other types of instruction, education, training, and religious activity.” While this definition does not mention a limit on unrelated people living together, it has been interpreted like Group Homes, allowing more than 3 unrelated individuals.
- **Day Care** definitions include the use of the word “family.” Though the deletion or amendment of the term family should not prohibit the Town from regulating home day cares, some amendments may be needed.
- **Nonconformity** regulations have many special rules for detached single family units that would need to be amended.
- Other sections of the LDRs where single-family uses are a basis for regulation that would require some level of amendment, include those on:
 - o Landscaping
 - o Hillside
 - o Historic preservation
 - o Parking
 - o Affordable housing standards
 - o Exactions

Comprehensive Plan & Priority Alignment.

Principle 4.3—Develop desirable residential neighborhoods.

A primary goal of the community is to enhance the character and integrity of Complete Neighborhoods in the Town and County. Town residential neighborhoods will be defined as either “Stable” or Transitional,” Subareas based upon their existing and desired future character. An important goal is to maintain or reestablish a strong sense of ownership by all residents of their neighborhood. The specific designation for each neighborhood and the desired future character is defined in the Illustration of Our Vision chapter.

Policy 4.3.a: Preserve and enhance Stable Subareas

The characteristics of Stable Subareas include a predominance of owner-occupied units, a variety of residential unit types, including workforce housing, and some limited nonresidential uses. Residents of these Subareas should be able to walk to local convenience commercial that should generally be within ¼ to ½ mile of their residences. Public spaces will typically be provided in public parks. Complete streets, including options for walking, biking, and transit, will be provided throughout. The consolidation of multiple lots to create larger single-family homes is inconsistent with existing character and with our

growth management goals. Even with a consistent physical character, the social character of these stable subareas is likely to change without efforts to preserve historic workforce occupancy.

Policy 4.3.b: Develop Transitional Subareas

Some subareas in Town are better suited for new development or re-development. In these Transitional Subareas the general public agrees that change is beneficial. Future development should provide a variety of housing types that create additional workforce housing, including multiple family owner occupied and rental housing. These subareas should include local convenience commercial generally within ¼ to ½ mile of residences. Public spaces will typically be provided in public parks. Complete streets, including all alternative transportation modes, will be provided throughout. Character will be defined less by the existing development pattern and more by the future Vision for the subarea. Developers are encouraged to utilize the allowances and incentives because these transitional subareas are the desired location of growth. Impactful investments in public infrastructure and housing will help to bolster these subareas and support efforts to promote quality of life.

Policy 5.4.b: Avoid regulatory barriers to the provision of workforce housing

The Town and County will avoid regulatory barriers that inadvertently preclude workforce housing in a manner that is consistent with the community's Common Values. This may include providing exemptions from certain requirements for developments that provide new subsidized workforce housing that reduces the shortage of housing that is affordable to the local workforce.

Fiscal Impact.

None

Staff Impact.

As noted, amending or repealing the definition of "family" may have repercussions throughout the LDRs and potentially the Jackson Municipal Code as well. As a result, should Council direct staff to change the definition of family, staff would provide a detailed scope of work, timeline, and staff resource analysis (hours and funding) needed to undertake and complete the amendments as part of the Long-Range Planning annual work plan presented in May.

Attachments or Links.

Public Comment

Suggested Motion. *Council always has the option to adopt, approve with conditions, continue, or deny items.*

I move to direct staff to amend the Text of the Land Development Regulations, definition of family as described in the staff report consistent with Definition of Family - Option ____ and Occupancy Limit – Option ____.

From: [kari.cieszkiewicz](#)
To: [Town Council](#)
Subject: A concern!
Date: Friday, January 15, 2021 7:42:34 PM

Hello Council Members,

I hope this email finds you well. My name is Kari and I have been a Jackson resident for 8 years. In my time living here, I have been personally affected by housing scarcity, inadequate tenant protections, and high rent prices that only continue to climb, particularly in the midst of the COVID-19 pandemic.

I am writing to you today regarding Jackson Town Ordinance 473 in the hopes that the Council will choose to repeal this ordinance in a timely manner. Ordinance 473 stipulates that no more than three unrelated individuals may occupy a single-family unit within the town of Jackson. In short, I feel this ordinance is antiquated, conflicts with our community values, and presents an unnecessary barrier to affordable, sustainable housing in the town of Jackson. Further, this ordinance poses a particular threat to the most marginalized members of our community, particularly those with different immigration statuses, lower-income individuals, and people of color. This ordinance can be used and abused by landlords as a coercive measure against their tenants, and can create unnecessary legal issues for our friends, neighbors, and coworkers. This action is particularly time-sensitive because secure housing is key to reducing transmission of the virus and ensuring that our community is as safe and healthy as possible. I ask that you take swift action to repeal this ordinance at the earliest convenience of the council. Thanks for taking the time to hear our concerns, and for all the work you do for our community. I hope you will carefully consider this appeal.

Please do not use your position to be a gatekeeper.

Kindly,
Kari

From: noreply@civicplus.com
To: [Town Council](#)
Subject: Alex Blackwelder Online Form Submittal: Email the Town Council
Date: Wednesday, January 20, 2021 3:32:12 PM

If you are having problems viewing this HTML email, click to view a [Text version](#).

Email the Town Council

Subject:

Email Content:*

Your Name:*

Your Company Name:

Your Phone Number:

Your Email Address:*

Your City:

Your State:

Your Zip Code:

* indicates required fields.

View any uploaded files by [signing in](#) and then proceeding to the link below:
<http://www.jacksonwy.gov/Admin/FormHistory.aspx?SID=3021>

The following form was submitted via your website: Email the Town Council

Subject:: Town Ordinance 473

Email Content:: Hello Council Members,

I hope this email finds you well. My name is Alex Blackwelder, and I am a Jackson resident. In my time living here, I have been personally affected by housing scarcity, inadequate tenant protections, and high rent prices that only continue to climb, particularly in the midst of the COVID-19 pandemic.

I am writing to you today regarding Jackson Town Ordinance 473 in the hopes that the Council will choose to repeal this ordinance in a timely manner. Ordinance 473 stipulates that no more than three unrelated individuals may occupy a single-family unit within the town of Jackson. In short, I feel this ordinance is antiquated, conflicts with our community values, and presents an unnecessary barrier to affordable, sustainable housing in the town of Jackson. Further, this ordinance poses a particular threat to the most marginalized members of our community, particularly those with different immigration statuses, lower-income individuals, and people of color. This ordinance can be used and abused by landlords as a coercive measure against their tenants, and can create unnecessary legal issues for our friends, neighbors, and coworkers. This action is particularly time-sensitive because secure housing is key to reducing transmission of the virus and ensuring that our community is as safe and healthy as possible. I ask that you take swift action to repeal this ordinance at the earliest convenience of the council. Thanks for taking the time to hear our concerns, and for all the work you do for our community. I hope you will carefully consider this appeal.

Your Name:: Alex Blackwelder

Your Company Name:: Hughes Production

Your Phone Number::

Your Email Address:: blackwelderalex@gmail.com

Your City:: Jackson

Your State:: WY

Your Zip Code:: 83001

Additional Information:

Form submitted on: 1/20/2021 3:32:04 PM

Submitted from IP Address: 184.167.5.152

Referrer Page: <https://www.google.com/url?q=https://www.jacksonwy.gov/forms.aspx?FID%3D190&sa=D&ust=1611185294878000&usg=AOvVaw1KAT5je6HcfFRBOJwbuYx0>

Form Address: <http://www.jacksonwy.gov/Forms.aspx?FID=190>

From: noreply@civicplus.com
To: [Town Council](#)
Subject: Ariel Kazunas Online Form Submittal: Email the Town Council
Date: Friday, January 15, 2021 8:36:32 PM

If you are having problems viewing this HTML email, click to view a [Text version](#).

Email the Town Council

Subject:

Email Content:*

Your Name:*

Your Company Name:

Your Phone Number:

Your Email Address:*

Your City:

Your State:

Your Zip Code:

* indicates required fields.

View any uploaded files by [signing in](#) and then proceeding to the link below:
<http://www.jacksonwy.gov/Admin/FormHistory.aspx?SID=3002>

The following form was submitted via your website: Email the Town Council

Subject:: Town Ordinance 473

Email Content:: Hello Council Members,

My name is Ariel Kazunas and I am a Jackson resident. During the six years I have called Jackson home, I have been personally affected by housing scarcity (feels like my only neighbors these days are New West construction sites after the rental homes that used to occupy those lots were demolished), inadequate tenant protections, and high rent prices that only continue to climb, even and particularly in the midst of the COVID-19 pandemic.

I am writing to you today regarding Jackson Town Ordinance 473 in the hopes that the Council will choose to repeal this ordinance in a timely manner. Ordinance 473 stipulates that no more than three unrelated individuals may occupy a single-family unit within the town of Jackson.

In short, I feel this ordinance is antiquated, conflicts with our community values, and presents an unnecessary barrier to affordable, sustainable housing in the town of Jackson.

I myself have been turned away multiple times by landlords who claim this ordinance as a reason not to rent to me and my three other friends. I am currently living in a four bedroom home that my landlord will not allow four people to live in because, I suspect, of this ordinance. It seems absurd to watch people struggle to find housing while bedrooms, like mine, sit empty.

Further, this ordinance poses a particular threat to the most marginalized members of our community, particularly those with different immigration statuses, lower-income individuals, and people of color.

This ordinance can be used and abused by landlords as a coercive measure against their tenants, and can create unnecessary legal issues for our friends, neighbors, and coworkers.

This action is particularly time-sensitive because secure housing is key to reducing transmission of the virus and ensuring that our community is as safe and healthy as possible.

I ask that you take swift action to repeal this ordinance at the earliest convenience of the council. Thank you for taking the time to hear my concerns, and for all the work you do for our community.

Your Name:: Ariel Kazunas

Your Company Name::

Your Phone Number::

Your Email Address:: akazunas@gmail.com

Your City:: Jackson

Your State:: WY

Your Zip Code:: 83001

Additional Information:

Form submitted on: 1/15/2021 8:36:20 PM

Submitted from IP Address: 184.167.20.196

Referrer Page: No Referrer - Direct Link

Form Address: <http://www.jacksonwy.gov/Forms.aspx?FID=190>

From: noreply@civicplus.com
To: [Town Council](#)
Subject: Lisa Hunt Online Form Submittal: Email the Town Council
Date: Monday, January 25, 2021 1:53:55 PM

If you are having problems viewing this HTML email, click to view a [Text version](#).

Email the Town Council

Subject:

Email Content:*

Your Name:*

Your Company Name:

Your Phone Number:

Your Email Address:*

Your City:

Your State:

Your Zip Code:

* indicates required fields.

View any uploaded files by [signing in](#) and then proceeding to the link below:
<http://www.jacksonwy.gov/Admin/FormHistory.aspx?SID=3071>

The following form was submitted via your website: Email the Town Council

Subject:: Do not repeal the "only 3 non-related person" ruling

Email Content:: Please do not repeal the "no more than three non-related tenants under one dwelling" statute without considering the substantial impacts on the fire and police departments that monitor and enforce fire and safety protocols. First responders don't need to walk over mattresses in the hallway to serve and protect. Please don't forget the Absaroka Street house that housed more Snow King employees per square foot than imaginable. Changing policy is only 10% of the struggle; enforcement is 90%. Please focus on developing dense housing structures with adequate parking and facilities and consider our first responders in this decision.

Thank you for your consideration.

Your Name:: Lisa Hunt

Your Company Name::

Your Phone Number::

Your Email Address:: adventurelisa@hotmail.com

Your City:: Jackson

Your State:: WY

From: noreply@civicplus.com
To: [Town Council](#)
Subject: Ash Hermanowski Online Form Submittal: Email the Town Council
Date: Wednesday, January 13, 2021 8:21:24 PM

If you are having problems viewing this HTML email, click to view a [Text version](#).

Email the Town Council

Subject:

Email Content:*

Your Name:*

Your Company Name:

Your Phone Number:

Your Email Address:*

Your City:

Your State:

Your Zip Code:

* indicates required fields.

View any uploaded files by [signing in](#) and then proceeding to the link below:
<http://www.jacksonwy.gov/Admin/FormHistory.aspx?SID=2975>

The following form was submitted via your website: Email the Town Council

Subject:: Ordinance 473

Email Content:: Hello Council Members,

I hope this email finds you well. My name is Ash Hermanowski and I am a Jackson resident. In my time living here, I have been personally affected by housing scarcity, inadequate tenant protections, and high rent prices that only continue to climb, particularly in the midst of the COVID-19 pandemic.

I am writing to you today regarding Jackson Town Ordinance 473 in the hopes that the Council will choose to repeal this ordinance in a timely manner. Ordinance 473 stipulates that no more than three unrelated individuals may occupy a single-family unit within the town of Jackson. In short, I feel this ordinance is antiquated, conflicts with our community values, and presents an unnecessary barrier to affordable, sustainable housing in the town of Jackson. Further, this ordinance poses a particular threat to the most marginalized members of our community, particularly those with different immigration statuses, lower-income individuals, and people of color. This ordinance can be used and abused by landlords as a coercive measure against their tenants, and can create unnecessary legal issues for our friends, neighbors, and coworkers. This action is particularly time-sensitive because secure housing is key to reducing transmission of the virus and ensuring that our community is as safe and healthy as possible. I ask that you take swift action to repeal this ordinance at the earliest convenience of the council.

Thanks for taking the time to hear our concerns, and for all the work you do for our community. I hope you will carefully consider this appeal.

Your Name:: Ash Hermanowski

Your Company Name::

Your Phone Number::

Your Email Address:: Ash.hermanowski@gmail.com

Your City:: Jackson

Your State:: WY

Your Zip Code:: 83001

Additional Information:

Form submitted on: 1/13/2021 8:21:14 PM

Submitted from IP Address: 184.167.22.167

Referrer Page: No Referrer - Direct Link

Form Address: <http://www.jacksonwy.gov/Forms.aspx?FID=190>

From: noreply@civicplus.com
To: [Town Council](#)
Subject: Linore Wallace Online Form Submittal: Email the Town Council
Date: Friday, January 22, 2021 5:19:28 PM

If you are having problems viewing this HTML email, click to view a [Text version](#).

Email the Town Council

Subject:

Email Content:*

Your Name:*

Your Company Name:

Your Phone Number:

Your Email Address:*

Your City:

Your State:

Your Zip Code:

* indicates required fields.

View any uploaded files by [signing in](#) and then proceeding to the link below:
<http://www.jacksonwy.gov/Admin/FormHistory.aspx?SID=3051>

The following form was submitted via your website: Email the Town Council

Subject:: Town Ordinance 473

Email Content:: Dear Honorable Mayor Morton-Levinson and Council-members:

This letter is in regards to your consideration of overturning the Town Ordinance 473 to increase the number of unrelated persons living in a single family dwelling.

Single family neighborhoods in Jackson are losing their character with the high density housing being placed in them. Allowing even more density in a single family house would only impact neighborhoods even more. As a 38 year home owner in the town of Jackson I have witnessed the loss of a neighborhood over the years. I have seen the impact of what happens when a single family home is rented out to more than 3 unrelated persons. Parking becomes a major problem along with noise and congestion. Those homes tend to become party homes and a place where the occupants are coming and going at all hours. It attracts a very transient population which is not conducive to what is suppose to be a family neighborhood; just like short term rentals are not conducive to a family neighborhood.

Whenever a new tenant moves into a single family dwelling in our neighborhood, we reach out to them to introduce ourselves and welcome them. What we have found with the homes that are rented out to 3 unrelated persons is that the number of people moving in and out changes constantly and from month to month we never know who is living there. It is not a very comfortable feeling not knowing who your neighbors are. And on top of that, they (like most of us who live in Jackson) have out of town visitors from time to time creating the need for even more parking and creating more congestion.

I ask that you please protect and preserve the quality of living for the taxpaying homeowners in single family

neighborhoods by not making changes to Ordinance 473.

Thank you for your time and dedication to our community.

Linore Wallace

Your Name:: Linore Wallace

Your Company Name::

Your Phone Number:: 307-733-2768

Your Email Address:: linorewallacewy@gmail.com

Your City:: Jackson

Your State:: WY

Your Zip Code:: 83001

Additional Information:

Form submitted on: 1/22/2021 5:19:20 PM

Submitted from IP Address: 69.146.206.232

Referrer Page: <https://www.jacksonwy.gov/256/Mayor-Town-Council>

Form Address: <http://www.jacksonwy.gov/Forms.aspx?FID=190>

From: noreply@civicplus.com
To: [Town Council](#)
Subject: Chelsea Toledo Online Form Submittal: Email the Town Council
Date: Saturday, January 16, 2021 11:12:07 AM

If you are having problems viewing this HTML email, click to view a [Text version](#).

Email the Town Council

Subject:

Email Content:*

Your Name:*

Your Company Name:

Your Phone Number:

Your Email Address:*

Your City:

Your State:

Your Zip Code:

* indicates required fields.

View any uploaded files by [signing in](#) and then proceeding to the link below:
<http://www.jacksonwy.gov/Admin/FormHistory.aspx?SID=3005>

The following form was submitted via your website: Email the Town Council

Subject:: Town Ordinance 473

Email Content:: Hello Council Members,

I hope this email finds you well. My name is Chelsea Toledo and I am a Jackson resident. In my time living here, I have been personally affected by housing scarcity, inadequate tenant protections, and high rent prices that only continue to climb, particularly in the midst of the COVID-19 pandemic.

I am writing to you today regarding Jackson Town Ordinance 473 in the hopes that the Council will choose to repeal this ordinance in a timely manner. Ordinance 473 stipulates that no more than three unrelated individuals may occupy a single-family unit within the town of Jackson. In short, I feel this ordinance is antiquated, conflicts with our community values, and presents an unnecessary barrier to affordable, sustainable housing in the town of Jackson. Further, this ordinance poses a particular threat to the most marginalized members of our community, particularly those with different immigration statuses, lower-income individuals, and people of color. This ordinance can be used and abused by landlords as a coercive measure against their tenants, and can create unnecessary legal issues for our friends, neighbors, and coworkers. This action is particularly time-sensitive because secure housing is key to reducing transmission of the virus and ensuring that our community is as safe and healthy as possible. I ask that you take swift action to repeal this ordinance at the earliest convenience of the council. Thanks for taking the time to hear our concerns, and for all the work you do for our community. I hope you will carefully consider this appeal.

Your Name:: Chelsea Toledo

Your Company Name::

Your Phone Number::

Your Email Address:: chelseatoledo95@gmail.com

Your City:: Jackson

Your State:: WY

Your Zip Code:: 83001

Additional Information:

Form submitted on: 1/16/2021 11:11:56 AM

Submitted from IP Address: 174.198.131.192

Referrer Page: No Referrer - Direct Link

Form Address: <http://www.jacksonwy.gov/Forms.aspx?FID=190>

From: noreply@civicplus.com
To: [Town Council](#)
Subject: Cori Patrick Online Form Submittal: Email the Town Council
Date: Friday, January 15, 2021 2:41:23 PM

If you are having problems viewing this HTML email, click to view a [Text version](#).

Email the Town Council

Subject:

Email Content:*

Your Name:*

Your Company Name:

Your Phone Number:

Your Email Address:*

Your City:

Your State:

Your Zip Code:

* indicates required fields.

View any uploaded files by [signing in](#) and then proceeding to the link below:
<http://www.jacksonwy.gov/Admin/FormHistory.aspx?SID=2994>

The following form was submitted via your website: Email the Town Council

Subject:: Ordinance 473

Email Content:: Hello Council Members,

I hope this email finds you well. My name is _____ and I am a Jackson resident. In my time living here, I have been personally affected by housing scarcity, inadequate tenant protections, and high rent prices that only continue to climb, particularly in the midst of the COVID-19 pandemic.

I am writing to you today regarding Jackson Town Ordinance 473 in the hopes that the Council will choose to repeal this ordinance in a timely manner. Ordinance 473 stipulates that no more than three unrelated individuals may occupy a single-family unit within the town of Jackson. In short, I feel this ordinance is antiquated, conflicts with our community values, and presents an unnecessary barrier to affordable, sustainable housing in the town of Jackson. Further, this ordinance poses a particular threat to the most marginalized members of our community, particularly those with different immigration statuses, lower-income individuals, and people of color. This ordinance can be used and abused by landlords as a coercive measure against their tenants, and can create unnecessary legal issues for our friends, neighbors, and coworkers. This action is particularly time-sensitive because secure housing is key to reducing transmission of the virus and ensuring that our community is as safe and healthy as possible. I ask that you take swift action to repeal this ordinance at the earliest convenience of the council. Thanks for taking the time to hear our concerns, and for all the work you do for our community. I hope you will carefully consider this appeal.

Your Name:: Cori Patrick

Your Company Name::

Your Phone Number::

Your Email Address:: scpatrick15@gmail.com

Your City:: Jackson

Your State:: WY

Your Zip Code:: 83001

Additional Information:

Form submitted on: 1/15/2021 2:41:15 PM

Submitted from IP Address: 174.245.195.16

Referrer Page: No Referrer - Direct Link

Form Address: <http://www.jacksonwy.gov/Forms.aspx?FID=190>

From: noreply@civicplus.com
To: [Town Council](#)
Subject: Elizabeth Hutchings Online Form Submittal: Email the Town Council
Date: Tuesday, January 19, 2021 3:23:04 PM

If you are having problems viewing this HTML email, click to view a [Text version](#).

Email the Town Council

Subject:

Email Content:*

Your Name:*

Your Company Name:

Your Phone Number:

Your Email Address:*

Your City:

Your State:

Your Zip Code:

* indicates required fields.

View any uploaded files by [signing in](#) and then proceeding to the link below:
<http://www.jacksonwy.gov/Admin/FormHistory.aspx?SID=3016>

The following form was submitted via your website: Email the Town Council

Subject:: Jackson Town Ordinance 473

Email Content:: Dear Council Members,

Thank you for the service that you do for our community. My name is Elizabeth Hutchings and I am a resident of Jackson.

I am writing to you to ask you to repeal Jackson Town Ordinance 473, which states that no more than three unrelated individuals may occupy a single-family home within the town of Jackson. This ordinance is antiquated and problematic as it threatens many of our most vulnerable community members who may live in a multi-family home or have more than two roommates.

We already have an immense strain on housing options and this has only been worsened by the pandemic. Keeping limitations such as this in place does not serve our community.

This December, my landlord chose break our lease and try to evict me and my roommates on Christmas Eve rather than adhere to a signed lease until May to gain more money from remote workers. I was looking at living in my friends basement because I had no where else to go in the middle of the winter and on such short notice. This would have violated this ordinance and put everyone in the house at risk of being penalized, just because my friend was trying to help me.

3 days before my eviction, I was able to find a place but that is not always the case for my friend and neighbors. We should focus our efforts on caretaking our community members and working towards affordable housing solutions rather than penalizing and destabilizing our community.

I hope you will consider this appeal and repeal Jackson Town Ordinance 473.

Kind regards,
[NAME]

Your Name:: Elizabeth Hutchings

Your Company Name::

Your Phone Number:: 2152086212

Your Email Address:: elizabethhutchings7@gmail.com

Your City:: Jackson

Your State:: Wyoming

Your Zip Code:: 83001

Additional Information:

Form submitted on: 1/19/2021 3:22:56 PM

Submitted from IP Address: 184.167.38.203

Referrer Page: <https://www.jacksonwy.gov/256/Mayor-Town-Council>

Form Address: <http://www.jacksonwy.gov/Forms.aspx?FID=190>

From: noreply@civicplus.com
To: [Town Council](#)
Subject: Elizabeth Senior Online Form Submittal: Email the Town Council
Date: Friday, January 15, 2021 10:26:20 AM

If you are having problems viewing this HTML email, click to view a [Text version](#).

Email the Town Council

Subject:

Email Content:*

Your Name:*

Your Company Name:

Your Phone Number:

Your Email Address:*

Your City:

Your State:

Your Zip Code:

* indicates required fields.

View any uploaded files by [signing in](#) and then proceeding to the link below:
<http://www.jacksonwy.gov/Admin/FormHistory.aspx?SID=2988>

The following form was submitted via your website: Email the Town Council

Subject:: Town Ordinance 473

Email Content:: Hello Council Members,

I hope this email finds you well. My name is Elizabeth and I am a Jackson resident. In my time living here, I have been personally affected by housing scarcity, inadequate tenant protections, and high rent prices that only continue to climb, particularly in the midst of the COVID-19 pandemic.

I am writing to you today regarding Jackson Town Ordinance 473 in the hopes that the Council will choose to repeal this ordinance in a timely manner. Ordinance 473 stipulates that no more than three unrelated individuals may occupy a single-family unit within the town of Jackson. In short, I feel this ordinance is antiquated, conflicts with our community values, and presents an unnecessary barrier to affordable, sustainable housing in the town of Jackson. Further, this ordinance poses a particular threat to the most marginalized members of our community, particularly those with different immigration statuses, lower-income individuals, and people of color. This ordinance can be used and abused by landlords as a coercive measure against their tenants, and can create unnecessary legal issues for our friends, neighbors, and coworkers. This action is particularly time-sensitive because secure housing is key to reducing transmission of the virus and ensuring that our community is as safe and healthy as possible. I ask that you take swift action to repeal this ordinance at the earliest convenience of the council. Thanks for taking the time to hear our concerns, and for all the work you do for our community. I hope you will carefully consider this appeal.

Thank you for your time and consideration.

Best,
Elizabeth Senior

Your Name:: Elizabeth Senior

Your Company Name:: Stern Household

Your Phone Number:: 9788448719

Your Email Address:: seniorelizabeth@gmail.com

Your City:: Jackson

Your State:: WY

Your Zip Code:: 83001

Additional Information:

Form submitted on: 1/15/2021 10:26:10 AM

Submitted from IP Address: 184.167.22.18

Referrer Page: <https://www.google.com/>

Form Address: <http://www.jacksonwy.gov/Forms.aspx?FID=190>

From: [Carl Pelletier](#)
To: [Town Council](#)
Subject: Ester Judge FW: Online Form Submittal: General Inquiry, Comment, or Concern
Date: Tuesday, January 19, 2021 8:54:24 AM

Dear Town Council –

This email was sent into “General Inquiries”. I will respond to Esther thanking her for the comment and let her know that this comment has been forward to the Town Council.

Thank you,
Carl

Carl Pelletier
Public Information Officer
Special Events Coordinator
Town of Jackson
PO Box 1687
Jackson, WY 83001
O: 307-734-3488
C: 307-699-2015



From: noreply@civicplus.com <noreply@civicplus.com>
Sent: Monday, January 18, 2021 7:59 PM
To: Carl Pelletier <cpelletier@jacksonwy.gov>
Subject: Online Form Submittal: General Inquiry, Comment, or Concern

General Inquiry, Comment, or Concern

First Name	Esther
------------	--------

Last Name	Judge
-----------	-------

Phone Number	307-699-7200
--------------	--------------

Email Address	esther@shacksonracks.com
---------------	--

General Inquiry, Comment,
or Concern

Hello Council Members,

My name is Esther Judge-Lennox. I am an active member in our community trying to combat the many negatives of Jackson's housing crisis. I've taken to relocating houses the town approves for demolition because my heart is so so broken over the loss of community diversity due to a lack of housing.

Ordinance 473 is an unnecessary burden for who it targets. This is Wyoming, landlords should have the choice to rent as they see fit. What is the benefit of the Ordinance 473? What are the goals it achieves? Who have you considered this would affect the most? This may not be a directly relatable issue but the struggle is real none the less.

If you do not repeal Ordinance 473 then you clearly don't understand the demographic that so much of our community is. My hope is that our community can have a louder voice if you can't hear us already.

Thank you,
Esther

Email not displaying correctly? [View it in your browser.](#)

From: noreply@civicplus.com
To: [Town Council](#)
Subject: Hannah Martinelli Online Form Submittal: Email the Town Council
Date: Sunday, January 31, 2021 12:55:38 PM

If you are having problems viewing this HTML email, click to view a [Text version](#).

Email the Town Council

Subject:

Email Content:*

Your Name:*

Your Company Name:

Your Phone Number:

Your Email Address:*

Your City:

Your State:

Your Zip Code:

* indicates required fields.

View any uploaded files by [signing in](#) and then proceeding to the link below:
<http://www.jacksonwy.gov/Admin/FormHistory.aspx?SID=3104>

The following form was submitted via your website: Email the Town Council

Subject:: Town Ordinance 473

Email Content:: Hello Council Members,

I hope this email finds you well. My name is Hannah and I am a Jackson resident, born and raised. In my time living here — both as an adult and growing up — I have been personally affected by housing scarcity, inadequate tenant protections, and high rent prices that only continue to climb.

I am writing to you today regarding Jackson Town Ordinance 473 in the hopes that the Council will choose to repeal this ordinance in a timely manner. Ordinance 473 stipulates that no more than three unrelated individuals may occupy a single-family unit within the town of Jackson. In short, I feel this ordinance is antiquated, conflicts with our community values, and presents an unnecessary barrier to affordable, sustainable housing in the town of Jackson. Further, this ordinance poses a particular threat to the most marginalized members of our community, particularly those with different immigration statuses, lower-income individuals, and people of color. This ordinance can be used and abused by landlords as a coercive measure against their tenants, and can create unnecessary legal issues for our friends, neighbors, and coworkers. This action is particularly time-sensitive because secure housing is key to reducing transmission of the virus and ensuring that our community is as safe and healthy as possible. I ask that you take swift action to repeal this ordinance at the earliest convenience of the council. Thank you for all the work you do for our community and taking the time to hear our concerns. I hope you will carefully consider this appeal.

Sincerely,
Hannah Martinelli

Your Name:: Hannah Martinelli

Your Company Name::

Your Phone Number::

Your Email Address:: hmartinelli95@gmail.com

Your City:: Jackson

Your State:: WY

Your Zip Code:: 83001

Additional Information:

Form submitted on: 1/31/2021 12:55:29 PM

Submitted from IP Address: 184.167.24.34

Referrer Page: No Referrer - Direct Link

Form Address: <http://www.jacksonwy.gov/Forms.aspx?FID=190>

From: noreply@civicplus.com
To: [Town Council](#)
Subject: Ivan Jimenez Online Form Submittal: Email the Town Council
Date: Monday, January 18, 2021 1:42:39 PM

If you are having problems viewing this HTML email, click to view a [Text version](#).

Email the Town Council

Subject:

Email Content:*

Your Name:*

Your Company Name:

Your Phone Number:

Your Email Address:*

Your City:

Your State:

Your Zip Code:

* indicates required fields.

View any uploaded files by [signing in](#) and then proceeding to the link below:
<http://www.jacksonwy.gov/Admin/FormHistory.aspx?SID=3011>

The following form was submitted via your website: Email the Town Council

Subject:: Repeal Town Ordinance 473

Email Content:: Hello Council Members,

My name is Ivan Jimenez and I am a Jackson resident who has benefitted from employer housing and also suffered from lack of tenant protections. This summer I had to seek out free legal advice from the Teton County Access for Justice, only to find out what so many residents already know: that we as tenants have next to nothing in legal rights to fight for our housing.

I am writing to you today regarding Jackson Town Ordinance 473 in the hopes that the Council will choose to repeal this ordinance in a timely manner. Ordinance 473 stipulates that no more than three unrelated individuals may occupy a single-family unit within the town of Jackson. In short, I feel this ordinance is antiquated, conflicts with our community values, and presents an unnecessary barrier to affordable, sustainable housing in the town of Jackson. Further, this ordinance poses a particular threat to the most marginalized members of our community, particularly those with different immigration statuses, lower-income individuals, and people of color. This ordinance can be used and abused by landlords as a coercive measure against their tenants, and can create unnecessary legal issues for our friends, neighbors, and coworkers. This action is particularly time-sensitive because secure housing is key to reducing transmission of the virus and ensuring that our community is as safe and healthy as possible. I ask that you take swift action to repeal this ordinance at the earliest convenience of the council. Thanks for taking the time to hear our concerns, and for all the work you do for our community. I hope you will carefully consider this appeal.

Thanks,

Ivan

Your Name:: Ivan Jimenez

Your Company Name::

Your Phone Number::

Your Email Address:: ivan@holefoodrescue.org

Your City:: Jackson

Your State:: WY

Your Zip Code:: 83001

Additional Information:

Form submitted on: 1/18/2021 1:42:29 PM

Submitted from IP Address: 184.167.18.48

Referrer Page: <https://www.google.com/>

Form Address: <http://www.jacksonwy.gov/Forms.aspx?FID=190>

From: noreply@civicplus.com
To: [Town Council](#)
Subject: Jennifer Fisher Online Form Submittal: Email the Town Council
Date: Wednesday, January 20, 2021 12:50:38 PM

If you are having problems viewing this HTML email, click to view a [Text version](#).

Email the Town Council

Subject:

Email Content:*

Your Name:*

Your Company Name:

Your Phone Number:

Your Email Address:*

Your City:

Your State:

Your Zip Code:

* indicates required fields.

View any uploaded files by [signing in](#) and then proceeding to the link below:
<http://www.jacksonwy.gov/Admin/FormHistory.aspx?SID=3019>

The following form was submitted via your website: Email the Town Council

Subject:: Town Ordinance 473

Email Content:: Hello Council Members,

I hope this email finds you well. My name is Jennifer and I am a Jackson resident. In my time living here, I have been personally affected by housing scarcity, inadequate tenant protections, and high rent prices that only continue to climb, particularly in the midst of the COVID-19 pandemic.

I am writing to you today regarding Jackson Town Ordinance 473 in the hopes that the Council will choose to repeal this ordinance in a timely manner. Ordinance 473 stipulates that no more than three unrelated individuals may occupy a single-family unit within the town of Jackson. In short, I feel this ordinance is antiquated, conflicts with our community values, and presents an unnecessary barrier to affordable, sustainable housing in the town of Jackson. Further, this ordinance poses a particular threat to the most marginalized members of our community, particularly those with different immigration statuses, lower-income individuals, and people of color. This ordinance can be used and abused by landlords as a coercive measure against their tenants, and can create unnecessary legal issues for our friends, neighbors, and coworkers. This action is particularly time-sensitive because secure housing is key to reducing transmission of the virus and ensuring that our community is as safe and healthy as possible. I ask that you take swift action to repeal this ordinance at the earliest convenience of the council. Thanks for taking the time to hear our concerns, and for all the work you do for our community. I hope you will carefully consider this appeal.

Your Name:: Jennifer Fisher

Your Company Name::

Your Phone Number:: 2102883767

Your Email Address:: fisher.jennifer1010@gmail.com

Your City:: Jackson

Your State:: WY

Your Zip Code:: 83001

Additional Information:

Form submitted on: 1/20/2021 12:50:31 PM

Submitted from IP Address: 136.50.85.221

Referrer Page: No Referrer - Direct Link

Form Address: <http://www.jacksonwy.gov/Forms.aspx?FID=190>

From: noreply@civicplus.com
To: [Town Council](#)
Subject: Joshua Eavis Online Form Submittal: Email the Town Council
Date: Saturday, January 16, 2021 9:33:28 AM

If you are having problems viewing this HTML email, click to view a [Text version](#).

Email the Town Council

Subject:

Email Content:*

Your Name:*

Your Company Name:

Your Phone Number:

Your Email Address:*

Your City:

Your State:

Your Zip Code:

* indicates required fields.

View any uploaded files by [signing in](#) and then proceeding to the link below:
<http://www.jacksonwy.gov/Admin/FormHistory.aspx?SID=3003>

The following form was submitted via your website: Email the Town Council

Subject:: Ordinance 473

Email Content:: Hello Council Members,

I hope this email finds you well. My name is Josh Eavis and I am a Jackson resident. In my time living here, I have been personally affected by housing scarcity, inadequate tenant protections, and high rent prices that only continue to climb, particularly in the midst of the COVID-19 pandemic.

I am writing to you today regarding Jackson Town Ordinance 473 in the hopes that the Council will choose to repeal this ordinance in a timely manner. Ordinance 473 stipulates that no more than three unrelated individuals may occupy a single-family unit within the town of Jackson. In short, I feel this ordinance is antiquated, conflicts with our community values, and presents an unnecessary barrier to affordable, sustainable housing in the town of Jackson. Further, this ordinance poses a particular threat to the most marginalized members of our community, particularly those with different immigration statuses, lower-income individuals, and people of color. This ordinance can be used and abused by landlords as a coercive measure against their tenants, and can create unnecessary legal issues for our friends, neighbors, and coworkers. This action is particularly time-sensitive because secure housing is key to reducing transmission of the virus and ensuring that our community is as safe and healthy as possible. I ask that you take swift action to repeal this ordinance at the earliest convenience of the council. Thanks for taking the time to hear our concerns, and for all the work you do for our community. I hope you will carefully consider this appeal.

Thanks, Josh

Your Name:: Joshua Eavis

Your Company Name::

Your Phone Number:: 907-362-7848

Your Email Address:: josh.eavis@gmail.com

Your City:: Jackson

Your State:: WY

Your Zip Code:: 83001

Additional Information:

Form submitted on: 1/16/2021 9:33:16 AM

Submitted from IP Address: 24.237.158.243

Referrer Page: <https://www.google.com/>

Form Address: <http://www.jacksonwy.gov/Forms.aspx?FID=190>

From: noreply@civicplus.com
To: [Town Council](#)
Subject: Kate Brown Online Form Submittal: Email the Town Council
Date: Thursday, January 21, 2021 8:43:42 PM

If you are having problems viewing this HTML email, click to view a [Text version](#).

Email the Town Council

Subject:

Email Content:*

Your Name:*

Your Company Name:

Your Phone Number:

Your Email Address:*

Your City:

Your State:

Your Zip Code:

* indicates required fields.

View any uploaded files by [signing in](#) and then proceeding to the link below:
<http://www.jacksonwy.gov/Admin/FormHistory.aspx?SID=3035>

The following form was submitted via your website: Email the Town Council

Subject:: Town Ordinance 473

Email Content:: Hello Council Members,

I hope this email finds you well. My name is Kate Brown and I am a Jackson resident. In my time living here, I have been personally affected by housing scarcity, inadequate tenant protections, and high rent prices that only continue to climb, particularly in the midst of the COVID-19 pandemic.

I am writing to you today regarding Jackson Town Ordinance 473 in the hopes that the Council will choose to repeal this ordinance in a timely manner. Ordinance 473 stipulates that no more than three unrelated individuals may occupy a single-family unit within the town of Jackson. In short, I feel this ordinance is antiquated, conflicts with our community values, and presents an unnecessary barrier to affordable, sustainable housing in the town of Jackson. Further, this ordinance poses a particular threat to the most marginalized members of our community, particularly those with different immigration statuses, lower-income individuals, and people of color. This ordinance can be used and abused by landlords as a coercive measure against their tenants, and can create unnecessary legal issues for our friends, neighbors, and coworkers. This action is particularly time-sensitive because secure housing is key to reducing transmission of the virus and ensuring that our community is as safe and healthy as possible. I ask that you take swift action to repeal this ordinance at the earliest convenience of the council. Thanks for taking the time to hear our concerns, and for all the work you do for our community. I hope you will carefully consider this appeal.

Your Name:: Kate Brown

Your Company Name::

Your Phone Number::

Your Email Address:: katerbrown96@gmail.com

Your City:: Jackson

Your State:: WY

Your Zip Code:: 83001

Additional Information:

Form submitted on: 1/21/2021 8:43:33 PM

Submitted from IP Address: 184.167.13.191

Referrer Page: No Referrer - Direct Link

Form Address: <http://www.jacksonwy.gov/Forms.aspx?FID=190>

From: noreply@civicplus.com
To: [Hailey Morton Levinson](#)
Subject: Kelsey Yarzab Online Form Submittal: Email Hailey Morton Levinson
Date: Monday, February 22, 2021 4:39:00 PM

If you are having problems viewing this HTML email, click to view a [Text version](#).

Email Hailey Morton Levinson

Subject:

Email Content:*

Your Name:*

Your Company Name:

Your Phone Number:

Your Email Address:*

Your City:

Your State:

Your Zip Code:

* indicates required fields.

View any uploaded files by [signing in](#) and then proceeding to the link below:
<http://jacksonwy.gov/Admin/FormHistory.aspx?SID=3204>

The following form was submitted via your website: Email Hailey Morton Levinson

Subject:: Ordinance 473

Email Content:: Good Afternoon Hailey,

I hope you are well. I wanted to follow up with you about Ordinance 473 after our meeting with Miles back in December. As I'm sure you know, we heeded your advice to mobilize public support and we're hopeful that the town council will work to repeal this sooner rather than later.

I would love to set up a time to touch base again and talk about next steps - do you have availability any time this week or next?

I sincerely appreciate your help with our campaign and all that you do for our community.

Best,

Kelsey Yarzab

Your Name:: Kelsey Yarzab

Your Company Name::

Your Phone Number:: 9082296124

Your Email Address:: kelseyyarzab@gmail.com

Your City:: Jackson

Your State:: WY

Your Zip Code:: 83001

Additional Information:

Form submitted on: 2/22/2021 4:38:52 PM

Submitted from IP Address: 107.77.227.165

Referrer Page: <https://jacksonwy.gov/256/Mayor-Town-Council>

Form Address: <http://jacksonwy.gov/Forms.aspx?FID=170>

From: noreply@civicplus.com
To: [Town Council](#)
Subject: Kelsey Yarzab Online Form Submittal: Email the Town Council
Date: Thursday, January 21, 2021 7:42:22 AM

If you are having problems viewing this HTML email, click to view a [Text version](#).

Email the Town Council

Subject:

Email Content:*

Your Name:*

Your Company Name:

Your Phone Number:

Your Email Address:*

Your City:

Your State:

Your Zip Code:

* indicates required fields.

View any uploaded files by [signing in](#) and then proceeding to the link below:
<http://www.jacksonwy.gov/Admin/FormHistory.aspx?SID=3028>

The following form was submitted via your website: Email the Town Council

Subject:: Ordinance 473

Email Content:: Hello Council Members,

I hope this email finds you well. My name is Kelsey Yarzab and I am a Jackson resident, as well as a recent graduate of the Conservation Leadership Institute. Through CLI, I have had the pleasure of meeting with several council members to discuss housing policy, particularly pertaining to ordinance 473, and I want to express my gratitude to the council for hearing the concerns of our community and taking them seriously.

In my time living here, I have been personally affected by housing scarcity, inadequate tenant protections, and high rent prices that only continue to climb, particularly in the midst of the COVID-19 pandemic.

I am writing to you today regarding Jackson Town Ordinance 473 in the hopes that the Council will choose to repeal this ordinance in a timely manner. Ordinance 473 stipulates that no more than three unrelated individuals may occupy a single-family unit within the town of Jackson. In short, I feel this ordinance is antiquated, conflicts with our community values, and presents an unnecessary barrier to affordable, sustainable housing in the town of Jackson. Further, this ordinance poses a particular threat to the most marginalized members of our community, particularly those with different immigration statuses, lower-income individuals, and people of color. This ordinance can be used and abused by landlords as a coercive measure against their tenants, and can create unnecessary legal issues for our friends, neighbors, and coworkers. This action is particularly time-sensitive because secure housing is key to reducing transmission of the virus and ensuring that our community is as safe and healthy as possible. I ask that you take swift action to repeal this ordinance at the earliest convenience of the council. Thanks for taking the time to hear our concerns, and for all the work you do for our community. I hope you will carefully consider this appeal.

Your Name:: Kelsey Yarzab

Your Company Name::

Your Phone Number:: 9082296124

Your Email Address:: Kelseywarzab@gmail.com

Your City:: Jackson

Your State:: WY

Your Zip Code:: 83001

Additional Information:

Form submitted on: 1/19/2021 12:50:28 PM

Submitted from IP Address: 174.245.195.98

Referrer Page: <https://www.google.com/url?q=https://www.jacksonwy.gov/forms.aspx?FID%3D190&sa=D&ust=1611088920073000&usg=AOvVaw3UIFvyKtO44e6IvaonIL2q>

Form Address: <http://www.jacksonwy.gov/Forms.aspx?FID=190>

Your Company Name::

Your Phone Number:: 9082296124

Your Email Address:: Kelseywarzab@gmail.com

Your City:: Jackson

Your State:: WY

Your Zip Code:: 83001

Additional Information:

Form submitted on: 1/21/2021 7:42:14 AM

Submitted from IP Address: 174.198.156.211

Referrer Page: <https://www.google.com/url?q=https://www.jacksonwy.gov/forms.aspx?FID%3D190&sa=D&ust=1611243538652000&usg=AOvVaw2rNLm3hxTNQHdrtJs4XVPv>

Form Address: <http://www.jacksonwy.gov/Forms.aspx?FID=190>

From: noreply@civicplus.com
To: [Town Council](#)
Subject: Kelsy Yarzab Online Form Submittal: Email the Town Council
Date: Tuesday, January 19, 2021 12:50:36 PM

If you are having problems viewing this HTML email, click to view a [Text version](#).

Email the Town Council

Subject:

Email Content:*

Your Name:*

Your Company Name:

Your Phone Number:

Your Email Address:*

Your City:

Your State:

Your Zip Code:

* indicates required fields.

View any uploaded files by [signing in](#) and then proceeding to the link below:
<http://www.jacksonwy.gov/Admin/FormHistory.aspx?SID=3015>

The following form was submitted via your website: Email the Town Council

Subject:: Ordinance 473

Email Content:: Hello Council Members,

I hope this email finds you well. My name is Kelsy Yarzab and I am a Jackson resident. As a student of the Conservation Leadership Institute, I have had the pleasure of meeting with several council members to discuss housing policy, particularly ordinance 473. I am grateful to each of you for offering this platform to voice our concerns and advocate for change.

In my time living here, I have been personally affected by housing scarcity, inadequate tenant protections, and high rent prices that only continue to climb, particularly in the midst of the COVID-19 pandemic.

I am writing to you today regarding Jackson Town Ordinance 473 in the hopes that the Council will choose to repeal this ordinance in a timely manner. Ordinance 473 stipulates that no more than three unrelated individuals may occupy a single-family unit within the town of Jackson. In short, I feel this ordinance is antiquated, conflicts with our community values, and presents an unnecessary barrier to affordable, sustainable housing in the town of Jackson. Further, this ordinance poses a particular threat to the most marginalized members of our community, particularly those with different immigration statuses, lower-income individuals, and people of color. This ordinance can be used and abused by landlords as a coercive measure against their tenants, and can create unnecessary legal issues for our friends, neighbors, and coworkers. This action is particularly time-sensitive because secure housing is key to reducing transmission of the virus and ensuring that our community is as safe and healthy as possible. I ask that you take swift action to repeal this ordinance at the earliest convenience of the council. Thanks for taking the time to hear our concerns, and for all the work you do for our community. I hope you will carefully consider this appeal.

Your Name:: Kelsy Yarzab

From: noreply@civicplus.com
To: [Town Council](#)
Subject: Kira Brazinski Online Form Submittal: Email the Town Council
Date: Monday, January 18, 2021 11:54:27 PM

If you are having problems viewing this HTML email, click to view a [Text version](#).

Email the Town Council

Subject:

Email Content:*

Your Name:*

Your Company Name:

Your Phone Number:

Your Email Address:*

Your City:

Your State:

Your Zip Code:

* indicates required fields.

View any uploaded files by [signing in](#) and then proceeding to the link below:
<http://www.jacksonwy.gov/Admin/FormHistory.aspx?SID=3012>

The following form was submitted via your website: Email the Town Council

Subject:: Repeal Ordinance 473

Email Content:: Hello Council Members,

I hope this email finds you well. My name is Kira and I am a Jackson resident. In my time living here, I have been personally affected by housing scarcity, inadequate tenant protections, and high rent prices that only continue to climb, particularly in the midst of the COVID-19 pandemic.

I am writing to you today regarding Jackson Town Ordinance 473 in the hopes that the Council will choose to repeal this ordinance in a timely manner. Ordinance 473 stipulates that no more than three unrelated individuals may occupy a single-family unit within the town of Jackson. In short, I feel this ordinance is antiquated, conflicts with our community values, and presents an unnecessary barrier to affordable, sustainable housing in the town of Jackson. Further, this ordinance poses a particular threat to the most marginalized members of our community, particularly those with different immigration statuses, lower-income individuals, and people of color. This ordinance can be used and abused by landlords as a coercive measure against their tenants, and can create unnecessary legal issues for our friends, neighbors, and coworkers. This action is particularly time-sensitive because secure housing is key to reducing transmission of the virus and ensuring that our community is as safe and healthy as possible. I ask that you take swift action to repeal this ordinance at the earliest convenience of the council. Thanks for taking the time to hear our concerns, and for all the work you do for our community. I hope you will carefully consider this appeal.

Your Name:: Kira Brazinski

Your Company Name::

Your Phone Number::

Your Email Address:: kirabrazinski@gmail.com

Your City:: Jackson

Your State:: WY

Your Zip Code:: 83001

Additional Information:

Form submitted on: 1/18/2021 11:54:17 PM

Submitted from IP Address: 184.167.21.3

Referrer Page: https://www.google.com/url?q=https://www.jacksonwy.gov/forms.aspx?FID%3D190&sa=D&ust=1611042438547000&usg=AOvVaw2kYYE4L9gzOhtMNO_H9yH8

Form Address: <http://www.jacksonwy.gov/Forms.aspx?FID=190>

From: noreply@civicplus.com
To: [Town Council](#)
Subject: Lacey O'Sullivan Online Form Submittal: Email the Town Council
Date: Saturday, January 16, 2021 10:40:19 AM

If you are having problems viewing this HTML email, click to view a [Text version](#).

Email the Town Council

Subject:

Email Content:*

Your Name:*

Your Company Name:

Your Phone Number:

Your Email Address:*

Your City:

Your State:

Your Zip Code:

* indicates required fields.

View any uploaded files by [signing in](#) and then proceeding to the link below:
<http://www.jacksonwy.gov/Admin/FormHistory.aspx?SID=3004>

The following form was submitted via your website: Email the Town Council

Subject:: Town ordinance 473

Email Content:: Hello Council Members,

I hope this email finds you well. My name is Lacey O'Sullivan_ and I am a Jackson resident. In my time living here, I have been personally affected by housing scarcity, inadequate tenant protections, and high rent prices that only continue to climb, particularly in the midst of the COVID-19 pandemic.

I am writing to you today regarding Jackson Town Ordinance 473 in the hopes that the Council will choose to repeal this ordinance in a timely manner. Ordinance 473 stipulates that no more than three unrelated individuals may occupy a single-family unit within the town of Jackson. In short, I feel this ordinance is antiquated, conflicts with our community values, and presents an unnecessary barrier to affordable, sustainable housing in the town of Jackson. Further, this ordinance poses a particular threat to the most marginalized members of our community, particularly those with different immigration statuses, lower-income individuals, and people of color. This ordinance can be used and abused by landlords as a coercive measure against their tenants, and can create unnecessary legal issues for our friends, neighbors, and coworkers. This action is particularly time-sensitive because secure housing is key to reducing transmission of the virus and ensuring that our community is as safe and healthy as possible. I ask that you take swift action to repeal this ordinance at the earliest convenience of the council. Thanks for taking the time to hear our concerns, and for all the work you do for our community. I hope you will carefully consider this appeal.

Your Name:: Lacey O'Sullivan

Your Company Name::

Your Phone Number::

Your Email Address:: Laceyjosullivan@gmail.com

Your City:: Jackson

Your State:: WY

Your Zip Code:: 83001

Additional Information:

Form submitted on: 1/16/2021 10:40:13 AM

Submitted from IP Address: 107.77.230.50

Referrer Page: No Referrer - Direct Link

Form Address: <http://www.jacksonwy.gov/Forms.aspx?FID=190>

From: noreply@civicplus.com
To: [Town Council](#)
Subject: Lauren Smith Online Form Submittal: Email the Town Council
Date: Friday, January 15, 2021 1:31:33 PM

If you are having problems viewing this HTML email, click to view a [Text version](#).

Email the Town Council

Subject:

Email Content:*

Your Name:*

Your Company Name:

Your Phone Number:

Your Email Address:*

Your City:

Your State:

Your Zip Code:

* indicates required fields.

View any uploaded files by [signing in](#) and then proceeding to the link below:
<http://www.jacksonwy.gov/Admin/FormHistory.aspx?SID=2989>

The following form was submitted via your website: Email the Town Council

Subject:: Town Ordinance 473

Email Content:: Hello Council Members,

I hope this email finds you well. My name is Lauren and I am a Teton County resident. In my time living here, I have been personally affected by housing scarcity, inadequate tenant protections, and high rent prices that only continue to climb, particularly in the midst of the COVID-19 pandemic. I have lived here since 2017 and I've lived in 5 different houses/apartments over the course of 3.5 years. Because of the extreme lack of affordable housing, I now live with my parents in Wilson, and have been unable to find any suitable/affordable housing since July of 2020. Not only is this unacceptable, but it is also fundamentally wrong for me to have to live with my parents during a pandemic when they are at higher risk to the virus than myself.

I am writing to you today regarding Jackson Town Ordinance 473 in the hopes that the Council will choose to repeal this ordinance in a timely manner. Ordinance 473 stipulates that no more than three unrelated individuals may occupy a single-family unit within the town of Jackson. In short, I feel this ordinance is antiquated, conflicts with our community values, and presents an unnecessary barrier to affordable, sustainable housing in the town of Jackson. Further, this ordinance poses a particular threat to the most marginalized members of our community, particularly those with different immigration statuses, lower-income individuals, and people of color. This ordinance can be used and abused by landlords as a coercive measure against their tenants, and can create unnecessary legal issues for our friends, neighbors, and coworkers. This action is particularly time-sensitive because secure housing is key to reducing transmission of the virus and ensuring that our community is as safe and healthy as possible. I ask that you take swift action to repeal this ordinance at the earliest convenience of the council. Thanks for taking the time to hear our concerns, and for all the work you do for our community. I hope you will carefully consider this appeal.

Sincerely, Lauren Smith

Your Name:: Lauren

Your Company Name::

Your Phone Number:: 6504657515

Your Email Address:: lauren.chase.smith@gmail.com

Your City:: Wilson

Your State:: WY

Your Zip Code:: 83014

Additional Information:

Form submitted on: 1/15/2021 1:31:21 PM

Submitted from IP Address: 65.131.94.112

Referrer Page: No Referrer - Direct Link

Form Address: <http://www.jacksonwy.gov/Forms.aspx?FID=190>

From: noreply@civicplus.com
To: [Town Council](#)
Subject: Lina Collado Online Form Submittal: Email the Town Council
Date: Friday, January 15, 2021 1:46:57 PM

If you are having problems viewing this HTML email, click to view a [Text version](#).

Email the Town Council

Subject:

Email Content:*

Your Name:*

Your Company Name:

Your Phone Number:

Your Email Address:*

Your City:

Your State:

Your Zip Code:

* indicates required fields.

View any uploaded files by [signing in](#) and then proceeding to the link below:
<http://www.jacksonwy.gov/Admin/FormHistory.aspx?SID=2990>

The following form was submitted via your website: Email the Town Council

Subject:: Town Ordinance 473

Email Content:: Hello Council Members,

I hope this email finds you well. My name is Lina Collado, and I am a Jackson resident for the last 6 years. In my time living here, I have been personally affected by housing scarcity, inadequate tenant protections, and high rent prices that only continue to climb, particularly in the midst of the COVID-19 pandemic.

I am writing to you today regarding Jackson Town Ordinance 473 in the hopes that the Council will choose to repeal this ordinance in a timely manner. Ordinance 473 stipulates that no more than three unrelated individuals may occupy a single-family unit within the town of Jackson. In short, I feel this ordinance is antiquated, conflicts with our community values, and presents an unnecessary barrier to affordable, sustainable housing in the town of Jackson. Further, this ordinance poses a particular threat to the most marginalized members of our community, particularly those with different immigration statuses, lower-income individuals, and people of color. This ordinance can be used and abused by landlords as a coercive measure against their tenants, and can create unnecessary legal issues for our friends, neighbors, and coworkers. This action is particularly time-sensitive because secure housing is key to reducing transmission of the virus and ensuring that our community is as safe and healthy as possible. I ask that you take swift action to repeal this ordinance at the earliest convenience of the council. Thanks for taking the time to hear our concerns, and for all the work you do for our community. I hope you will carefully consider this appeal.

Thank you for your time,

Lina Collado

Your Name:: Lina Collado

Your Company Name::

Your Phone Number:: 787-704-9413

Your Email Address:: lination81@gmail.com

Your City:: Jackson

Your State:: WY

Your Zip Code:: 83001

Additional Information:

Form submitted on: 1/15/2021 1:46:47 PM

Submitted from IP Address: 184.167.8.4

Referrer Page: No Referrer - Direct Link

Form Address: <http://www.jacksonwy.gov/Forms.aspx?FID=190>

From: noreply@civicplus.com
To: [Town Council](#)
Subject: Mary Obringer Online Form Submittal: Email the Town Council
Date: Monday, January 25, 2021 4:39:06 PM

If you are having problems viewing this HTML email, click to view a [Text version](#).

Email the Town Council

Subject:

Email Content:*

Your Name:*

Your Company Name:

Your Phone Number:

Your Email Address:*

Your City:

Your State:

Your Zip Code:

* indicates required fields.

View any uploaded files by [signing in](#) and then proceeding to the link below:
<http://www.jacksonwy.gov/Admin/FormHistory.aspx?SID=3075>

The following form was submitted via your website: Email the Town Council

Subject:: Three unrelated people

Email Content:: January 24, 2021

To the Jackson Town Council:

Having owned and operated a property management business in Jackson Hole for 15 years I have a couple of questions. Tell me what is more important 'affordable' or 'sustainable' housing? More than three unrelated people in a house impacts the infrastructure, parking, wear and tear on the building, streets, bus systems and more. In my experience more three unrelated people in a residence is destructive and not affordable or sustainable.

I believe if this ordinance is modified to allow more than three unrelated people to occupy any home the results will be beds in hallways, living rooms, in basements anywhere in the home they can put a bed. This has happened even under the diligent service of a property management company. This alone would be enhanced fire danger. History shows rents will go up not down. Parking will be worse and it will destroy the character of a neighborhood.

Families of more than three people are acceptable and explainable. The rental of a family is more structured, fewer cars and less impactful on a home. Granted, it isn't always affordable but it is overall better for our infrastructure.

Shouldn't we as a community exam other way to house our people? When can we learn to build smarter not bigger. Has there ever been an approach to dorm living with communal living and private bedrooms? Have past structures produced affordable housing? We seem to be building new structures all the time but are they affordable?

Jackson has been working for years on our bus system and other means of transportation and yet we still are over run with traffic.

We consider living arrangements to be in high demand but we also are facing a pandemic that doesn't seem to be ending soon. The danger of the virus is real.

If you feel the need to include more than three unrelated people in a home, please consider the outcome and reconsider.

Sincerely,
Mary Obringer

Your Name:: Mary Obringer

Your Company Name::

Your Phone Number:: 307-690-3418

Your Email Address:: maryfoto@icloud.com

Your City:: Jackson

Your State:: WY

Your Zip Code:: 83001

Additional Information:

Form submitted on: 1/25/2021 4:38:59 PM

Submitted from IP Address: 184.167.12.37

Referrer Page: No Referrer - Direct Link

Form Address: <http://www.jacksonwy.gov/Forms.aspx?FID=190>

From: noreply@civicplus.com
To: [Town Council](#)
Subject: Maddie Johnson Online Form Submittal: Email the Town Council
Date: Friday, January 29, 2021 6:03:45 PM

If you are having problems viewing this HTML email, click to view a [Text version](#).

Email the Town Council

Subject:

Email Content:*

Your Name:*

Your Company Name:

Your Phone Number:

Your Email Address:*

Your City:

Your State:

Your Zip Code:

* indicates required fields.

View any uploaded files by [signing in](#) and then proceeding to the link below:
<http://www.jacksonwy.gov/Admin/FormHistory.aspx?SID=3099>

The following form was submitted via your website: Email the Town Council

Subject:: Ordinance 473

Email Content:: Hello Town Council Members,

I hope this email finds you all well and healthy.

My name is Maddie Johnson and I am a graduate of the Jackson Hole Conservation Alliance's CLI Class of '20. As a part of the CLI team pushing to dissolve Ordinance 473, and long-time resident of Jackson, I would first like to address that the future of this place means a lot to me and housing directly correlates to the sustainability of its magic.

In my time living here, I have been personally affected by housing scarcity, inadequate tenant protections, and high rent prices that only continue to climb, particularly in the midst of the COVID-19 pandemic. I am writing to you today regarding Jackson Town Ordinance 473 in the hopes that the Council will choose to repeal this ordinance in a timely manner, understanding that the complexities of COVID have reoriented your priorities.

Ordinance 473 stipulates that no more than three unrelated individuals may occupy a single-family unit within the town of Jackson. In short, I feel this ordinance is antiquated, conflicts with our community values, and presents an unnecessary barrier to affordable, sustainable housing in the town of Jackson. Further, this ordinance poses a disproportionate threat to the most marginalized members of our community, particularly those with different immigration statuses, lower-income, and LGBTQ+ identities.

I understand this ordinance to be deemed 'antiquated' by many of you and just want to emphasize its ridiculous nature. This town consists of countless homes that were built to hygienically and comfortably accommodate more

than 3 people. The reality is that this rule rarely gets enforced by landlords and, when it does, only exposes the inequity of its nature: if there are 5 bedrooms in a house for \$4,000/month, why can 1. a 4-person family with non-married parents 2. a 5-person group of young, non-married working professionals or 3. an immigrant family with no documentation of their marital status not be able to rent it legally? I understand parking to be an important consideration as we consider the removal of Ordinance 473, and, I know they can be addressed well. Looking at other small mountain towns with high plowing demands, creative solutions like alternate street parking have been implemented.

I ask that you take swift action to repeal this ordinance at the earliest convenience of the council. COVID has only exacerbated the need for affordable housing in this town and thus it should be a priority!

Thanks for taking the time to hear our concerns, and for all the work you do for our community. I hope you will carefully consider this appeal.

Warmly,

Maddie

Your Name:: Maddie Johnson

Your Company Name::

Your Phone Number::

Your Email Address:: madeleinepjohnson@gmail.com

Your City:: Jackson

Your State:: WY

Your Zip Code:: 83002

Additional Information:

Form submitted on: 1/29/2021 6:03:36 PM

Submitted from IP Address: 184.167.9.0

Referrer Page: <https://www.google.com/>

Form Address: <http://www.jacksonwy.gov/Forms.aspx?FID=190>

From: noreply@civicplus.com
To: [Town Council](#)
Subject: Marion Thurston Online Form Submittal: Email the Town Council
Date: Friday, January 15, 2021 2:34:34 PM

If you are having problems viewing this HTML email, click to view a [Text version](#).

Email the Town Council

Subject:

Email Content:*

Your Name:*

Your Company Name:

Your Phone Number:

Your Email Address:*

Your City:

Your State:

Your Zip Code:

* indicates required fields.

View any uploaded files by [signing in](#) and then proceeding to the link below:
<http://www.jacksonwy.gov/Admin/FormHistory.aspx?SID=2993>

The following form was submitted via your website: Email the Town Council

Subject:: Town Ordinance 473

Email Content:: Dear Council Members,

I hope this email finds you well. My name is Marion Thurston and I am a Jackson resident. In my time living here, I have been personally affected by housing scarcity and the harsh reality that Jackson has fostered an environment that, even with a well paying job in architecture and design and multiple "side hustles", I will likely NEVER be able to afford a house in Jackson.

I am writing to you today regarding Jackson Town Ordinance 473 in the hopes that the Council will choose to repeal this ordinance in a timely manner. Ordinance 473 stipulates that no more than three unrelated individuals may occupy a single-family unit within the town of Jackson. In short, I feel this ordinance is antiquated, conflicts with our community values, and presents an unnecessary barrier to affordable, sustainable housing in the town of Jackson. Further, this ordinance poses a particular threat to the most marginalized members of our community, particularly those with different immigration statuses, lower-income individuals, and people of color. This ordinance can be used and abused by landlords as a coercive measure against their tenants, and can create unnecessary legal issues for our friends, neighbors, and coworkers. This action is particularly time-sensitive because secure housing is key to reducing transmission of the virus and ensuring that our community is as safe and healthy as possible. In the long term, I think that it's incredibly important to this community that people be able to settle down here. Jackson will soon be only affordable to the second home owners and I beg you to think of what a town like that looks like. I think that this is a necessary first step for equity.

I ask that you take swift action to repeal this ordinance at the earliest convenience of the council. Thanks for taking the time to hear our concerns, and for all the work you do for our community. I hope you will carefully consider this appeal.

Your Name:: Marion Thurston

Your Company Name:: Hershberger Design

Your Phone Number:: 2073447756

Your Email Address:: thurston.mt@gmail.com

Your City:: Jackson

Your State:: WY

Your Zip Code:: 83002

Additional Information:

Form submitted on: 1/15/2021 2:34:26 PM

Submitted from IP Address: 69.146.3.18

Referrer Page: No Referrer - Direct Link

Form Address: <http://www.jacksonwy.gov/Forms.aspx?FID=190>

From: noreply@civicplus.com
To: [Town Council](#)
Subject: Mary Obringer Online Form Submittal: Email the Town Council
Date: Monday, January 25, 2021 4:39:06 PM

If you are having problems viewing this HTML email, click to view a [Text version](#).

Email the Town Council

Subject:

Email Content:*

Your Name:*

Your Company Name:

Your Phone Number:

Your Email Address:*

Your City:

Your State:

Your Zip Code:

* indicates required fields.

View any uploaded files by [signing in](#) and then proceeding to the link below:
<http://www.jacksonwy.gov/Admin/FormHistory.aspx?SID=3075>

The following form was submitted via your website: Email the Town Council

Subject:: Three unrelated people

Email Content:: January 24, 2021

To the Jackson Town Council:

Having owned and operated a property management business in Jackson Hole for 15 years I have a couple of questions. Tell me what is more important 'affordable' or 'sustainable' housing? More than three unrelated people in a house impacts the infrastructure, parking, wear and tear on the building, streets, bus systems and more. In my experience more three unrelated people in a residence is destructive and not affordable or sustainable.

I believe if this ordinance is modified to allow more than three unrelated people to occupy any home the results will be beds in hallways, living rooms, in basements anywhere in the home they can put a bed. This has happened even under the diligent service of a property management company. This alone would be enhanced fire danger. History shows rents will go up not down. Parking will be worse and it will destroy the character of a neighborhood.

Families of more than three people are acceptable and explainable. The rental of a family is more structured, fewer cars and less impactful on a home. Granted, it isn't always affordable but it is overall better for our infrastructure.

Shouldn't we as a community exam other way to house our people? When can we learn to build smarter not bigger. Has there ever been an approach to dorm living with communal living and private bedrooms? Have past structures produced affordable housing? We seem to be building new structures all the time but are they affordable?

Jackson has been working for years on our bus system and other means of transportation and yet we still are over run with traffic.

We consider living arrangements to be in high demand but we also are facing a pandemic that doesn't seem to be ending soon. The danger of the virus is real.

If you feel the need to include more than three unrelated people in a home, please consider the outcome and reconsider.

Sincerely,
Mary Obringer

Your Name:: Mary Obringer

Your Company Name::

Your Phone Number:: 307-690-3418

Your Email Address:: maryfoto@icloud.com

Your City:: Jackson

Your State:: WY

Your Zip Code:: 83001

Additional Information:

Form submitted on: 1/25/2021 4:38:59 PM

Submitted from IP Address: 184.167.12.37

Referrer Page: No Referrer - Direct Link

Form Address: <http://www.jacksonwy.gov/Forms.aspx?FID=190>

From: noreply@civicplus.com
To: [Town Council](#)
Subject: Mckenzie Myers Online Form Submittal: Email the Town Council
Date: Thursday, January 21, 2021 3:33:32 PM

If you are having problems viewing this HTML email, click to view a [Text version](#).

Email the Town Council

Subject:

Email Content:*

Your Name:*

Your Company Name:

Your Phone Number:

Your Email Address:*

Your City:

Your State:

Your Zip Code:

* indicates required fields.

View any uploaded files by [signing in](#) and then proceeding to the link below:
<http://www.jacksonwy.gov/Admin/FormHistory.aspx?SID=3034>

The following form was submitted via your website: Email the Town Council

Subject:: Town Ordinance 473

Email Content:: Hello Council Members,

I hope this email finds you well. My name is Mckenzie and I have been working with my CLI group to combat the housing crisis here in Jackson. We targeted Ordinance 473, because it is a small, simple step in the right direction to combating the massive housing crisis our town faces.

I believe this law is antiquated, unnecessary, and disproportionately affects low-income, minority, and LGBTQ members of our community. With the housing crisis more apparent now than ever before, I urge you to repeal this ordinance to create a more housing for our community members. If we don't take action now, the workers of our valley will not be able afford to live here for much longer.

Thanks for taking the time to hear our concerns, and for all the work you do for our community. I hope you will carefully consider this appeal.

Mckenzie Myers

Your Name:: Mckenzie Myers

Your Company Name::

Your Phone Number:: 207-317-6729

Your Email Address:: mckenzieismyers@gmail.com

Your City:: Jackson

Your State:: WY

Your Zip Code:: 83001

Additional Information:

Form submitted on: 1/21/2021 3:33:25 PM

Submitted from IP Address: 207.183.167.45

Referrer Page: No Referrer - Direct Link

Form Address: <http://www.jacksonwy.gov/Forms.aspx?FID=190>

From: noreply@civicplus.com
To: [Jonathan Schechter](#)
Subject: McKenzie Myers Ord 473 Online Form Submittal: Email Jonathan Schechter
Date: Tuesday, March 9, 2021 12:08:22 PM

If you are having problems viewing this HTML email, click to view a [Text version](#).

Email Jonathan Schechter

Subject:

Email Content:*

Your Name:*

Your Company Name:

Your Phone Number:

Your Email Address:*

Your City:

Your State:

Your Zip Code:

* indicates required fields.

View any uploaded files by [signing in](#) and then proceeding to the link below:
<http://www.jacksonwy.gov/Admin/FormHistory.aspx?SID=3263>

The following form was submitted via your website: Email Jonathan Schechter

Subject:: Ordinance 473

Email Content:: Hi Johnathan,

My name is Mckenzie Myers and I am currently working to advocate for amending ordinance 473. My good friend, Nikki Kaufman, suggested I reach out and hear your thoughts on the matter! I would love to hop on the phone or even just correspond through email to learn more about your take. Thank you for your time and commitment to bettering our community!

Your Name:: Mckenzie

Your Company Name::

Your Phone Number:: 207-317-6729

Your Email Address:: mckenzieismyers@gmail.com

Your City:: Jackson

Your State:: WY

Your Zip Code:: 83001

From: noreply@civicplus.com
To: [Town Council](#)
Subject: Melanie Schuerch Online Form Submittal: Email the Town Council
Date: Friday, January 15, 2021 5:52:24 PM

If you are having problems viewing this HTML email, click to view a [Text version](#).

Email the Town Council

Subject:

Email Content:*

Your Name:*

Your Company Name:

Your Phone Number:

Your Email Address:*

Your City:

Your State:

Your Zip Code:

* indicates required fields.

View any uploaded files by [signing in](#) and then proceeding to the link below:
<http://www.jacksonwy.gov/Admin/FormHistory.aspx?SID=3000>

The following form was submitted via your website: Email the Town Council

Subject::

Email Content:: Hello Council Members,

I hope this email finds you well. My name is Melanie and I am a Jackson resident. In my time living here, I have been personally affected by housing scarcity, inadequate tenant protections, and high rent prices that only continue to climb, particularly in the midst of the COVID-19 pandemic.

I am writing to you today regarding Jackson Town Ordinance 473 in the hopes that the Council will choose to repeal this ordinance in a timely manner. Ordinance 473 stipulates that no more than three unrelated individuals may occupy a single-family unit within the town of Jackson. In short, I feel this ordinance is antiquated, conflicts with our community values, and presents an unnecessary barrier to affordable, sustainable housing in the town of Jackson. Further, this ordinance poses a particular threat to the most marginalized members of our community, particularly those with different immigration statuses, lower-income individuals, and people of color. This ordinance can be used and abused by landlords as a coercive measure against their tenants, and can create unnecessary legal issues for our friends, neighbors, and coworkers. This action is particularly time-sensitive because secure housing is key to reducing transmission of the virus and ensuring that our community is as safe and healthy as possible. I ask that you take swift action to repeal this ordinance at the earliest convenience of the council. Thanks for taking the time to hear our concerns, and for all the work you do for our community. I hope you will carefully consider this appeal.

Your Name:: Melanie Schuerch

Your Company Name::

Your Phone Number::

Your Email Address:: mkschuerch@hotmail.com

Your City:: Jackson

Your State:: Wyoming

Your Zip Code:: 83001

Additional Information:

Form submitted on: 1/15/2021 5:52:16 PM

Submitted from IP Address: 184.167.4.125

Referrer Page: No Referrer - Direct Link

Form Address: <http://www.jacksonwy.gov/Forms.aspx?FID=190>

From: noreply@civicplus.com
To: [Town Council](#)
Subject: Michelle Austin Online Form Submittal: Email the Town Council
Date: Friday, January 15, 2021 4:24:15 PM

If you are having problems viewing this HTML email, click to view a [Text version](#).

Email the Town Council

Subject:

Email Content:*

Your Name:*

Your Company Name:

Your Phone Number:

Your Email Address:*

Your City:

Your State:

Your Zip Code:

* indicates required fields.

View any uploaded files by [signing in](#) and then proceeding to the link below:
<http://www.jacksonwy.gov/Admin/FormHistory.aspx?SID=2997>

The following form was submitted via your website: Email the Town Council

Subject:: Town Ordinance 473

Email Content:: Hello Council Members,

I hope this email finds you well. My name is Michelle and I have been a Jackson resident for 5 and a half years. In my time living here, I have been personally affected by housing scarcity, inadequate tenant protections, and high rent prices that only continue to climb. Needless to say, being in the midst of the COVID-19 pandemic makes dealing with these issues infinitely more terrifying and stressful.

I am part of a couple and we own a dog. Our first residence in Jackson was on E Kelly Avenue, a two bedroom, one bath house. It is an 80 year old house that hasn't been updated in decades. For example, taking a shower and doing laundry at the same time would stress the pipes so much they would burst. After our first year living here they raised the rent \$350 from \$1600 to \$1950. When we asked if this increase meant they would be addressing some of the issues the house had, their response was simply, "No. If you object to the rent increase of the house, someone else will rent it as it is, at this price." In other words, "We don't care if the house is a piece of crap. We can get away with renting it at this price." We began to try to find other housing options after this. However, being a couple and having a dog made it extremely difficult. It took us a year and a half until we found another place that was suitable and would allow for our circumstances. The only catch was that in order for the new house we found to be affordable, we needed two more roommates. This was perfectly reasonable and our landlord had no issue with it considering it's a large 3 bedroom, two bath house. Under Ordinance 473, our housing situation wouldn't be possible and would either leave us out on the streets during a pandemic OR would leave a room in our house totally unoccupied during a housing crisis. Not to mention, the rent would be exorbitant.

I am writing all of this to you today so that you may better understand the circumstances residents of Jackson face everyday. Ordinance 473 is

NOT sustainable if Jackson is to continue having a working class. Myself and many others hope that the Council will choose to repeal this ordinance in a timely manner. I feel this ordinance is antiquated, conflicts with our

community values, and presents an unnecessary barrier to affordable, sustainable housing in the town of Jackson. Further, this ordinance poses a particular threat to the most marginalized members of our community, particularly those with different immigration statuses, lower-income individuals, and people of color. This ordinance can be used and abused by landlords as a coercive measure against their tenants, and can create unnecessary legal issues for our friends, neighbors, and coworkers.

This action is particularly time-sensitive because secure housing is key to reducing transmission of the virus and ensuring that our community is as safe and healthy as possible. I ask that you take swift action to repeal this ordinance at the earliest convenience of the council. Thanks for taking the time to hear our concerns, and for all the work you do for our community. I hope you will carefully consider this appeal

Your Name:: Michelle Austin

Your Company Name::

Your Phone Number::

Your Email Address:: michelleLaustin23@gmail.com

Your City:: Jackson

Your State:: WY

Your Zip Code:: 83001

Additional Information:

Form submitted on: 1/15/2021 4:24:07 PM

Submitted from IP Address: 47.185.21.9

Referrer Page: [https://www.google.com/url?q=https://www.jacksonwy.gov/forms.aspx?](https://www.google.com/url?q=https://www.jacksonwy.gov/forms.aspx?FID%3D190&sa=D&ust=1610756439971000&usg=AOvVaw3j7EKKesV7rDbWR3Wn8Yfh)

[FID%3D190&sa=D&ust=1610756439971000&usg=AOvVaw3j7EKKesV7rDbWR3Wn8Yfh](https://www.google.com/url?q=https://www.jacksonwy.gov/forms.aspx?FID%3D190&sa=D&ust=1610756439971000&usg=AOvVaw3j7EKKesV7rDbWR3Wn8Yfh)

Form Address: <http://www.jacksonwy.gov/Forms.aspx?FID=190>

From: noreply@civicplus.com
To: [Town Council](#)
Subject: Miles Yazzolino Online Form Submittal: Email the Town Council
Date: Wednesday, January 13, 2021 10:31:01 PM

If you are having problems viewing this HTML email, click to view a [Text version](#).

Email the Town Council

Subject:

Email Content:*

Your Name:*

Your Company Name:

Your Phone Number:

Your Email Address:*

Your City:

Your State:

Your Zip Code:

* indicates required fields.

View any uploaded files by [signing in](#) and then proceeding to the link below:
<http://www.jacksonwy.gov/Admin/FormHistory.aspx?SID=2976>

The following form was submitted via your website: Email the Town Council

Subject:: Town Ordinance 473

Email Content:: Hello Council Members,

I hope this email finds you all well in the new year. My name is Miles Yazzolino and I am a Jackson resident. In my time living here for most of my life, I have been personally affected by housing scarcity, inadequate tenant protections, and high rent prices that continue to climb, all issues that have been exacerbated through the COVID-19 pandemic.

I am writing to you today regarding Jackson Town Ordinance 473 in the hopes that the Council will choose to repeal this ordinance in a timely manner. Ordinance 473 stipulates that no more than three unrelated individuals may occupy a single-family unit within the town of Jackson. In short, I feel this ordinance is antiquated, conflicts with our community values, and presents an unnecessary barrier to affordable, sustainable housing in the town of Jackson. Further, this ordinance poses a particular threat to the most marginalized members of our community, particularly those with different immigration statuses, lower-income individuals, and people of color, along with non-traditional family units. This ordinance can be used and abused by landlords as a coercive measure against their tenants, and can create unnecessary legal issues for our friends, neighbors, and coworkers. This action is particularly time-sensitive because secure housing is key to reducing transmission of the virus and ensuring that our community is as safe and healthy as possible. I ask that you take swift action to repeal this ordinance at the earliest convenience of the council. Thanks for taking the time to hear our concerns, and for all the work you do for our community. I hope you will carefully consider this appeal.

Your Name:: Miles Yazzolino

Your Company Name::

Your Phone Number:: 7077918638

Your Email Address:: yazzojazz@yahoo.com

Your City:: Jackson

Your State:: WY

Your Zip Code:: 83001

Additional Information:

Form submitted on: 1/13/2021 10:30:51 PM

Submitted from IP Address: 207.183.187.132

Referrer Page: No Referrer - Direct Link

Form Address: <http://www.jacksonwy.gov/Forms.aspx?FID=190>

From: noreply@civicplus.com
To: [Town Council](#)
Subject: Molly Templin Online Form Submittal: Email the Town Council
Date: Sunday, January 17, 2021 9:51:13 AM

If you are having problems viewing this HTML email, click to view a [Text version](#).

Email the Town Council

Subject:

Email Content:*

Your Name:*

Your Company Name:

Your Phone Number:

Your Email Address:*

Your City:

Your State:

Your Zip Code:

* indicates required fields.

View any uploaded files by [signing in](#) and then proceeding to the link below:
<http://www.jacksonwy.gov/Admin/FormHistory.aspx?SID=3007>

The following form was submitted via your website: Email the Town Council

Subject:: Town Ordinance 473

Email Content:: Hello Council Members,

I hope this email finds you well. My name is Molly Templin and I am a Jackson resident. In my time living here, I have been personally affected by housing scarcity, inadequate tenant protections, and high rent prices that only continue to climb, particularly in the midst of the COVID-19 pandemic.

I am writing to you today regarding Jackson Town Ordinance 473 in the hopes that the Council will choose to repeal this ordinance in a timely manner. Ordinance 473 stipulates that no more than three unrelated individuals may occupy a single-family unit within the town of Jackson. In short, I feel this ordinance is antiquated, conflicts with our community values, and presents an unnecessary barrier to affordable, sustainable housing in the town of Jackson. Further, this ordinance poses a particular threat to the most marginalized members of our community, particularly those with different immigration statuses, lower-income individuals, and people of color. This ordinance can be used and abused by landlords as a coercive measure against their tenants, and can create unnecessary legal issues for our friends, neighbors, and coworkers. This action is particularly time-sensitive because secure housing is key to reducing transmission of the virus and ensuring that our community is as safe and healthy as possible. I ask that you take swift action to repeal this ordinance at the earliest convenience of the council. Thanks for taking the time to hear our concerns, and for all the work you do for our community. I hope you will carefully consider this appeal.

Your Name:: Molly Templin

Your Company Name::

Your Phone Number:: 9205942014

Your Email Address:: mollytemplin25@gmail.com

Your City:: Jackson

Your State:: Wyoming

Your Zip Code:: 83002

Additional Information:

Form submitted on: 1/17/2021 9:51:04 AM

Submitted from IP Address: 199.192.124.116

Referrer Page: No Referrer - Direct Link

Form Address: <http://www.jacksonwy.gov/Forms.aspx?FID=190>

From: [Adrian Croke](#)
To: [Town Council](#)
Subject: Ordinance 473
Date: Tuesday, January 19, 2021 12:34:27 PM

Hello Council Members,

I hope this email finds you well. My name is Adrian Croke and I am a Jackson resident. In my time living here, I have been personally affected by housing scarcity, inadequate tenant protections, and high rent prices that only continue to climb, particularly in the midst of the COVID-19 pandemic.

I am writing to you today regarding Jackson Town Ordinance 473 in the hopes that the Council will choose to repeal this ordinance in a timely manner. Ordinance 473 stipulates that no more than three unrelated individuals may occupy a single-family unit within the town of Jackson. In short, I feel this ordinance is antiquated, conflicts with our community values, and presents an unnecessary barrier to affordable, sustainable housing in the town of Jackson. Further, this ordinance poses a particular threat to the most marginalized members of our community, particularly those with different immigration statuses, lower-income individuals, and people of color. This ordinance can be used and abused by landlords as a coercive measure against their tenants, and can create unnecessary legal issues for our friends, neighbors, and coworkers. This action is particularly time-sensitive because secure housing is key to reducing transmission of the virus and ensuring that our community is as safe and healthy as possible. I ask that you take swift action to repeal this ordinance at the earliest convenience of the council. Thanks for taking the time to hear our concerns, and for all the work you do for our community. I hope you will carefully consider this appeal.

Best,

Adrian Croke

From: [Brielle Stander](#)
To: [Town Council](#)
Subject: Re: Ordinance 473
Date: Tuesday, January 19, 2021 8:16:03 AM

Hello Council Members,

My name is Brielle and I am a Jackson resident. In my time living here, I have been personally affected by housing scarcity, inadequate tenant protections, and high rent prices that only continue to climb, particularly in the midst of the COVID-19 pandemic.

I am writing to you today regarding Jackson Town Ordinance 473 in the hopes that the Council will choose to repeal this ordinance in a timely manner. Ordinance 473 stipulates that no more than three unrelated individuals may occupy a single-family unit within the town of Jackson. In short, I feel this ordinance is antiquated, conflicts with our community values, and presents an unnecessary barrier to affordable, sustainable housing in the town of Jackson. Further, this ordinance poses a particular threat to the most marginalized members of our community, particularly those with different immigration statuses, lower-income individuals, and people of color. This ordinance can be used and abused by landlords as a coercive measure against their tenants, and can create unnecessary legal issues for our friends, neighbors, and coworkers. This action is particularly time-sensitive because secure housing is key to reducing transmission of the virus and ensuring that our community is as safe and healthy as possible. I ask that you take swift action to repeal this ordinance at the earliest convenience of the council.

Thanks for taking the time to hear our concerns, and for all the work you do for our community. I hope you will carefully consider this appeal.

Best,
Brielle

--

Brielle Stander
She/Her/Hers
610-306-9965

From: [Mark Houser](#)
To: [Jim Rooks](#)
Subject: RE: repeal of Ordinance 473
Date: Monday, February 1, 2021 6:57:54 PM

Thanks Jim!

From: Jim Rooks <JRooks@jacksonwy.gov>
Sent: Monday, February 1, 2021 8:11 AM
To: Mark Houser <safeschools@wyoming.com>
Subject: Re: repeal of Ordinance 473

I'm working on repeal of this antiquated, biased and unenforceable ordinance. Thanks Mark. Jim Rooks

On Jan 31, 2021 5:31 PM, Mark Houser <safeschools@wyoming.com> wrote:
Greetings,

I would like to recommend the Jackson Town Council consider repeal of Ordinance 473. The limit of non-related individuals places an undue hardship on a portion of our community. For example, two couples cannot rent a two bedroom house. Within the LGBTQ community, family structure can exist in a way that is not in line with the ordinance. There are many other examples of relationship that do not meet the parameters of the Ordinance.

I found of interest a Planning document entitled "Status Report on the Definition of Family" dated 9.2.97 detailing a 8.20.97 Board of Adjustment appeal brought by Scarlett Pierce. Later discussion of the family definition is contained in Council minutes of 9.2.97, 9.15.97, 11.15.97 and 6.1.98.

Beyond the disparity the Ordinance generates for various household groups, the extreme nature of the housing situation in our valley speaks to the need of repeal of Ordinance 473.

Chapter 21 of the Wyoming State Statutes addresses issue of Family Violence Protection. In 35-21-102, Definitions, the State addresses the issue of family by defining household members to include:

(iv) "Household member" includes:

- (A) Persons married to each other;
- (B) Persons living with each other as if married;
- (C) Persons formerly married to each other;
- (D) Persons formerly living with each other as if married;
- (E) Parents and their adult children;
- (F) Other adults sharing common living quarters;
- (G) Persons who are the parents of a child but who are not living with each other; and
- (H) Persons who are in, or have been in, a dating relationship.

In the State's eyes, for purposes of this statute, household members can be non-romantically involved roommates and still meet the definition of household, as structured by this law.

A Quaker group has defined family to be "two or more persons living together and committed to each others' welfare and spiritual/physical development."

Housing and Urban Development also has a more expansive definition of family. When I first explored this issue 20 years ago, I talked with the Wyoming State Director of HUD and he had concerns as to how these restrictions in the ordinance may violate Fair Housing protocols.

Thank you for your attention to my input.

Mark Houser

Mark Houser

Pronouns: He, Him, His

PO Box 2683

Jackson, WY 83001

safeschools@wyoming.com

307-690-5419 (cellular)

"Injustice anywhere is a threat to justice everywhere. We are caught in an inescapable network of mutuality, tied in a single garment of destiny. Whatever affects one directly affects all indirectly."

Martin Luther King

From: [Joey Sackett](#)
To: [Jim Rooks](#)
Subject: Re: Repeal Ordinance 473
Date: Tuesday, February 2, 2021 12:28:54 AM

Really appreciate the response, Jim. And glad your gonna push to repeal. Thanks!

El El lun, feb. 1, 2021 a la(s) 14:09, Jim Rooks <JRooks@jacksonwy.gov> escribió:

Yep...looks like the vote will come up in Feb or March. I'll be pushing it & voting for repeal.
Thx. Jrooks

On Feb 1, 2021 9:14 AM, Joey Sackett <sackettjoey@gmail.com> wrote:
Hello Representatives!

Please consider repealing Ordinance 473. This law is already being broken in a huge number of homes in Jackson and just doesn't make sense here considering the demographics of our locals. It seems that the ordinance is not really enforced by our local government anyway, it just lingers around as ammunition for landlords the moment something doesn't go their way. Let's get rid of this silly, outdated, unenforced ordinance.

Thanks,
Joey

--

Joey Sackett
(630) 624-7042

From: [Laura Langberg](#)
To: [Town Council](#)
Subject: Re: Town Ordinance 473
Date: Saturday, January 30, 2021 7:36:59 PM

Hello Council Members,

I hope this email finds you well. My name is Laura and I am a Jackson resident. In my time living here, I have been personally affected by housing scarcity, inadequate tenant protections, and high rent prices that only continue to climb, particularly in the midst of the COVID-19 pandemic.

I am writing to you today regarding Jackson Town Ordinance 473 in the hopes that the Council will choose to repeal this ordinance in a timely manner. Ordinance 473 stipulates that no more than three unrelated individuals may occupy a single-family unit within the town of Jackson. In short, I feel this ordinance is antiquated, conflicts with our community values, and presents an unnecessary barrier to affordable, sustainable housing in the town of Jackson. Further, this ordinance poses a particular threat to the most marginalized members of our community, particularly those with different immigration statuses, lower-income individuals, and people of color. This ordinance can be used and abused by landlords as a coercive measure against their tenants, and can create unnecessary legal issues for our friends, neighbors, and coworkers. This action is particularly time-sensitive because secure housing is key to reducing transmission of the virus and ensuring that our community is as safe and healthy as possible. I ask that you take swift action to repeal this ordinance at the earliest convenience of the council. Thanks for taking the time to hear our concerns, and for all the work you do for our community. I hope you will carefully consider this appeal.

Thank you,
Laura Langberg
(307) 699-9176

From: [Mark Houser](#)
To: [Town Council](#)
Subject: repeal of Ordinance 473
Date: Sunday, January 31, 2021 5:31:30 PM

Greetings,

I would like to recommend the Jackson Town Council consider repeal of Ordinance 473. The limit of non-related individuals places an undue hardship on a portion of our community. For example, two couples cannot rent a two bedroom house. Within the LGBTQ community, family structure can exist in a way that is not in line with the ordinance. There are many other examples of relationship that do not meet the parameters of the Ordinance.

I found of interest a Planning document entitled "Status Report on the Definition of Family" dated 9.2.97 detailing a 8.20.97 Board of Adjustment appeal brought by Scarlett Pierce. Later discussion of the family definition is contained in Council minutes of 9.2.97, 9.15.97, 11.15.97 and 6.1.98.

Beyond the disparity the Ordinance generates for various household groups, the extreme nature of the housing situation in our valley speaks to the need of repeal of Ordinance 473.

Chapter 21 of the Wyoming State Statutes addresses issue of Family Violence Protection. In 35-21-102, Definitions, the State addresses the issue of family by defining household members to include:

(iv) "Household member" includes:

- (A) Persons married to each other;
- (B) Persons living with each other as if married;
- (C) Persons formerly married to each other;
- (D) Persons formerly living with each other as if married;
- (E) Parents and their adult children;
- (F) Other adults sharing common living quarters;
- (G) Persons who are the parents of a child but who are not living with each other; and
- (H) Persons who are in, or have been in, a dating relationship.

In the State's eyes, for purposes of this statute, household members can be non-romantically involved roommates and still meet the definition of household, as structured by this law.

A Quaker group has defined family to be "two or more persons living together and committed to each others' welfare and spiritual/physical development."

Housing and Urban Development also has a more expansive definition of family. When I first explored this issue 20 years ago, I talked with the Wyoming State Director of HUD and he had concerns as to how these restrictions in the ordinance may violate Fair Housing protocols.

Thank you for your attention to my input.

Mark Houser

Mark Houser

Pronouns: He, Him, His

PO Box 2683

Jackson, WY 83001

safeschools@wyoming.com

307-690-5419 (cellular)

"Injustice anywhere is a threat to justice everywhere. We are caught in an inescapable network of mutuality, tied in a single garment of destiny. Whatever affects one directly affects all indirectly."

Martin Luther King

From: [MC Scales](#)
To: [Town Council](#)
Subject: Repeal Ordinance 473 - Our Beloved Community Relies on Your Action
Date: Saturday, February 6, 2021 5:07:28 PM

Hello Council Members,

I hope this email finds you well. My name is Mary Scales English and I am a former Jackson resident. In my time living there, I had been personally affected by housing scarcity, inadequate tenant protections, and high rent prices that only continue to climb, particularly in the midst of the COVID-19 pandemic. I currently reside in Idaho. I have numerous close friends struggling immensely with housing in Jackson, and it isn't improving with highly restrictive and potentially discriminatory ordinances like 473.

I am writing to you today about the Jackson Town Ordinance 473 in the hopes that the Council will choose to repeal this ordinance in a timely manner. Ordinance 473 stipulates that no more than three unrelated individuals may occupy a single-family unit within the town of Jackson. In short, I feel this ordinance is antiquated, conflicts with our community values, and presents an unnecessary barrier to affordable, sustainable housing in the town of Jackson. Further, this ordinance poses a particular threat to the most marginalized members of our community, particularly those with different immigration statuses, lower-income individuals, and people of color. This ordinance can be used and abused by landlords as a coercive measure against their tenants, and can create unnecessary legal issues for our friends, neighbors, and coworkers. This action is particularly time-sensitive because secure housing is key to reducing transmission of the virus and ensuring that our community is as safe and healthy as possible. I ask that you take swift action to repeal this ordinance at the earliest convenience of the council. Thanks for taking the time to hear our concerns, and for all the work you do for our community. I hope you will carefully consider this appeal.

Regards,

Mary

From: [Joey Sackett](#)
To: [Town Council](#)
Subject: Repeal Ordinance 473
Date: Monday, February 1, 2021 9:14:16 AM

Hello Representatives!

Please consider repealing Ordinance 473. This law is already being broken in a huge number of homes in Jackson and just doesn't make sense here considering the demographics of our locals. It seems that the ordinance is not really enforced by our local government anyway, it just lingers around as ammunition for landlords the moment something doesn't go their way. Let's get rid of this silly, outdated, unenforced ordinance.

Thanks,
Joey

From: noreply@civicplus.com
To: [Town Council](#)
Subject: Ryan Burke Online Form Submittal: Email the Town Council
Date: Friday, January 15, 2021 5:07:53 PM

If you are having problems viewing this HTML email, click to view a [Text version](#).

Email the Town Council

Subject:

Email Content:*

Your Name:*

Your Company Name:

Your Phone Number:

Your Email Address:*

Your City:

Your State:

Your Zip Code:

* indicates required fields.

View any uploaded files by [signing in](#) and then proceeding to the link below:
<http://www.jacksonwy.gov/Admin/FormHistory.aspx?SID=2998>

The following form was submitted via your website: Email the Town Council

Subject:: Ordinance 473

Email Content:: Hello Council Members,

I hope this email finds you well. My name is Ryan Burke and I am a Jackson resident. In my time living here, I have been personally affected by housing scarcity, inadequate tenant protections, and high rent prices that only continue to climb, particularly in the midst of the COVID-19 pandemic.

I am writing to you today regarding Jackson Town Ordinance 473 in the hopes that the Council will choose to repeal this ordinance in a timely manner. Ordinance 473 stipulates that no more than three unrelated individuals may occupy a single-family unit within the town of Jackson. In short, I feel this ordinance is antiquated, conflicts with our community values, and presents an unnecessary barrier to affordable, sustainable housing in the town of Jackson. Further, this ordinance poses a particular threat to the most marginalized members of our community, particularly those with different immigration statuses, lower-income individuals, and people of color. This ordinance can be used and abused by landlords as a coercive measure against their tenants, and can create unnecessary legal issues for our friends, neighbors, and coworkers. This action is particularly time-sensitive because secure housing is key to reducing transmission of the virus and ensuring that our community is as safe and healthy as possible. I ask that you take swift action to repeal this ordinance at the earliest convenience of the council. Thanks for taking the time to hear our concerns, and for all the work you do for our community. I hope you will carefully consider this appeal.

Your Name:: Ryan Burke

Your Company Name::

Your Phone Number::

Your Email Address:: ryanburke11@yahoo.com

Your City:: Jackson

Your State:: WY

Your Zip Code:: 83001

Additional Information:

Form submitted on: 1/15/2021 5:07:42 PM

Submitted from IP Address: 184.167.4.225

Referrer Page: <https://www.jacksonwy.gov/256/Mayor-Town-Council>

Form Address: <http://www.jacksonwy.gov/Forms.aspx?FID=190>

From: noreply@civicplus.com
To: [Town Council](#)
Subject: Sale Rhodes Online Form Submittal: Email the Town Council
Date: Monday, January 18, 2021 1:08:23 PM

If you are having problems viewing this HTML email, click to view a [Text version](#).

Email the Town Council

Subject:

Email Content:*

Your Name:*

Your Company Name:

Your Phone Number:

Your Email Address:*

Your City:

Your State:

Your Zip Code:

* indicates required fields.

View any uploaded files by [signing in](#) and then proceeding to the link below:
<http://www.jacksonwy.gov/Admin/FormHistory.aspx?SID=3010>

The following form was submitted via your website: Email the Town Council

Subject:: Town ordinance 473

Email Content:: Hello Council Members,

I hope this email finds you well. My name is Sale Rhodes and I am a Jackson resident. In my time living here, I have been personally affected by housing scarcity, inadequate tenant protections, and high rent prices that only continue to climb, particularly in the midst of the COVID-19 pandemic.

I am writing to you today regarding Jackson Town Ordinance 473 in the hopes that the Council will choose to repeal this ordinance in a timely manner. Ordinance 473 stipulates that no more than three unrelated individuals may occupy a single-family unit within the town of Jackson. In short, I feel this ordinance is antiquated, conflicts with our community values, and presents an unnecessary barrier to affordable, sustainable housing in the town of Jackson. Further, this ordinance poses a particular threat to the most marginalized members of our community, particularly those with different immigration statuses, lower-income individuals, and people of color. This ordinance can be used and abused by landlords as a coercive measure against their tenants, and can create unnecessary legal issues for our friends, neighbors, and coworkers. This action is particularly time-sensitive because secure housing is key to reducing transmission of the virus and ensuring that our community is as safe and healthy as possible. I ask that you take swift action to repeal this ordinance at the earliest convenience of the council. Thanks for taking the time to hear our concerns, and for all the work you do for our community. I hope you will carefully consider this appeal.

Your Name:: Sale rhodes

Your Company Name::

Your Phone Number::

Your Email Address:: Esrhodes8@gmail.com

Your City:: Jackson

Your State:: WY

Your Zip Code:: 83001

Additional Information:

Form submitted on: 1/18/2021 1:08:13 PM

Submitted from IP Address: 107.77.231.197

Referrer Page: <https://www.jacksonwy.gov/directory.aspx?did=29>

Form Address: <http://www.jacksonwy.gov/Forms.aspx?FID=190>

From: noreply@civicplus.com
To: [Town Council](#)
Subject: Sarah Evans Online Form Submittal: Email the Town Council
Date: Friday, January 15, 2021 6:03:37 PM

If you are having problems viewing this HTML email, click to view a [Text version](#).

Email the Town Council

Subject:

Email Content:*

Your Name:*

Your Company Name:

Your Phone Number:

Your Email Address:*

Your City:

Your State:

Your Zip Code:

* indicates required fields.

View any uploaded files by [signing in](#) and then proceeding to the link below:
<http://www.jacksonwy.gov/Admin/FormHistory.aspx?SID=3001>

The following form was submitted via your website: Email the Town Council

Subject:: Town Ordinance 473

Email Content:: Dear Council,

I hope this email finds you well. My name is Sarah Evans and I am a Jackson resident. Living in Jackson for the past 7 year, I seen the affects of housing scarcity, inadequate tenant protections, and the massive increase in newly developed, single family homes that push out many renters. These circumstances have been exacerbated in the midst of the COVID-19 pandemic.

I write to you today to insist that the Council repeal this ordinance in a timely manner. Ordinance 473 stipulates that no more than three unrelated individuals may occupy a single-family unit within the town of Jackson. In short, I feel this ordinance is obsolete and conflicts with our community values. It also presents unnecessary barriers to affordable, sustainable housing in the town of Jackson. Furthermore, this ordinance poses a particular threat to the most marginalized members of our community, particularly those with different immigration statuses, lower-income individuals, and people of color. This ordinance can be used and abused by landlords as a coercive measure against their tenants, and can create unnecessary legal issues for our friends, neighbors, and coworkers.

Secure housing is key to reducing transmission of COVID-19 and to ensuring that our community is as safe and healthy as possible. Displacement of tenants based on this Ordinance denies the reality of Jackson's issue surrounding housing scarcity and unequal access. Please, take swift action to repeal this ordinance at the earliest convenience of the council. Thank you for taking the time to hear my concerns, and for all the work you do for our community. I hope you will carefully consider this appeal.

Your Name:: Sarah Evans

Your Company Name::

Your Phone Number:: 8322475913

Your Email Address:: sarevans1024@gmail.com

Your City:: Jackson

Your State:: WY

Your Zip Code:: 83001

Additional Information:

Form submitted on: 1/15/2021 6:03:30 PM

Submitted from IP Address: 184.167.25.146

Referrer Page: <https://www.google.com/>

Form Address: <http://www.jacksonwy.gov/Forms.aspx?FID=190>

From: noreply@civicplus.com
To: [Town Council](#)
Subject: Seanna Minuth Online Form Submittal: Email the Town Council
Date: Thursday, January 21, 2021 8:41:59 AM

If you are having problems viewing this HTML email, click to view a [Text version](#).

Email the Town Council

Subject:

Email Content:*

Your Name:*

Your Company Name:

Your Phone Number:

Your Email Address:*

Your City:

Your State:

Your Zip Code:

* indicates required fields.

View any uploaded files by [signing in](#) and then proceeding to the link below:
<http://www.jacksonwy.gov/Admin/FormHistory.aspx?SID=3029>

The following form was submitted via your website: Email the Town Council

Subject:: Ordinance 473

Email Content:: Dear Council Members,

I hope you are well and having a peaceful start to the new year. My name is Seana Minuth, and I am a Jackson resident. For the past three years I have lived with housing uncertainty and fear of losing housing. The high and ever climbing cost of rent, especially during the COVID-19 pandemic, has put my financial security at risk as well.

I am writing to you today regarding Jackson Town Ordinance 473 in the hopes that the Council will choose to repeal this ordinance in a timely manner. Ordinance 473 stipulates that no more than three unrelated individuals may occupy a single-family unit within the town of Jackson. In short, I feel this ordinance is antiquated, conflicts with our community values, and presents an unnecessary barrier to affordable, sustainable housing in the town of Jackson. Further, this ordinance poses a particular threat to the most marginalized members of our community, particularly those with different immigration statuses, lower-income individuals, and people of color. This ordinance can be used and abused by landlords as a coercive measure against their tenants, and can create unnecessary legal issues for our friends, neighbors, and coworkers. This action is particularly time-sensitive because secure housing is key to reducing transmission of the virus and ensuring that our community is as safe and healthy as possible. I ask that you take swift action to repeal this ordinance at the earliest convenience of the council.

Thanks for taking the time to hear our concerns. Thank you for your consideration and the hard work you do for our community.

Best,
Seana Minuth
minuthsea@gmail.com

Your Name:: Seana Minuth

Your Company Name::

Your Phone Number:: 4158198145

Your Email Address:: minuthsea@gmail.com

Your City:: Jackson

Your State:: WY

Your Zip Code:: 83002

Additional Information:

Form submitted on: 1/21/2021 8:41:53 AM

Submitted from IP Address: 207.183.187.228

Referrer Page: <https://www.google.com/>

Form Address: <http://www.jacksonwy.gov/Forms.aspx?FID=190>

January 24, 2021

To the Jackson Town Council:

Having owned and operated a property management business in Jackson Hole for 15 years I have a couple of questions. Tell me what is more important 'affordable' or 'sustainable' housing? More than three unrelated people in a house impacts the infrastructure, parking, wear and tear on the building, streets, bus systems and more. In my experience more than three unrelated people in a residence is destructive and not affordable or sustainable.

I believe if this ordinance is modified to allow more than three unrelated people to occupy any home the results will be beds in hallways, living rooms, in basements anywhere in the home they can put a bed. This has happened even under the diligent service of a property management company. This alone would be enhanced fire danger. History shows rents will go up not down. Parking will be worse and it will destroy the character of a neighborhood.

Families of more than three people are acceptable and explainable. The rental of a family is more structured, fewer cars and less impactful on a home. Granted, it isn't always affordable but it is overall better for our infrastructure.

Shouldn't we as a community examine other ways to house our people? When can we learn to build smarter not bigger. Has there ever been an approach to dorm living with communal living and private bedrooms? Have past structures produced affordable housing? We seem to be building new structures all the time but are they affordable?

Jackson has been working for years on our bus system and other means of transportation and yet we still are over run with traffic.

We consider living arrangements to be in high demand but we also are facing a pandemic that doesn't seem to be ending soon. The danger of the virus is real.

If you feel the need to include more than three unrelated people in a home, please consider the outcome and reconsider.

Sincerely,
Mary Obringer

From: [Lewis smirl](#)
To: [Town Council](#)
Subject: Town Ord-473
Date: Monday, February 1, 2021 11:00:28 AM

Hello Council Members,

I hope this email finds you well. My name is Lewis Smirl, and I am a Jackson resident. In my time living here, I have been personally affected by housing scarcity, inadequate tenant protections, and high rent prices that only continue to climb, particularly in the midst of the COVID-19 pandemic.

I am writing to you today regarding Jackson Town Ordinance 473 in the hopes that the Council will choose to repeal this ordinance in a timely manner. Ordinance 473 stipulates that no more than three unrelated individuals may occupy a single-family unit within the town of Jackson. In short, I feel this ordinance is antiquated, conflicts with our community values, and presents an unnecessary barrier to affordable, sustainable housing in the town of Jackson. Further, this ordinance poses a particular threat to the most marginalized members of our community, particularly those with different immigration statuses, lower-income individuals, and people of color. This ordinance can be used and abused by landlords as a coercive measure against their tenants, and can create unnecessary legal issues for our friends, neighbors, and coworkers. This action is particularly time-sensitive because secure housing is key to reducing transmission of the virus and ensuring that our community is as safe and healthy as possible. I ask that you take swift action to repeal this ordinance at the earliest convenience of the council. Thanks for taking the time to hear our concerns, and for all the work you do for our community. I hope you will carefully consider this appeal.

Thanks,

Lewis Smirl, mental health therapist

STAFF REPORT



Meeting Date:	Monday October 18, 2021	Meeting Title:	Regular Meeting
Submitting Department:	Finance	Presenter:	Kelly Thompson, Finance Director
Agenda Item:	Fiscal Year 2022 Budget - Amendment #1	Public Comment:	Yes

Purpose & Policy Considerations.

The purpose of this item is for Town Council to approve a resolution adopting amendments to the Town of Jackson's fiscal year 2022 budget.

Requested Action.

Staff requests that the Mayor & Council approve the attached resolution.

Recommendations.

Staff recommends that the Mayor & Council approve the attached resolution.

Background.

The annual adoption of the fiscal year budget, and subsequent amendments, are critical to the Town's ability to accomplish its purpose and mission. The budget is a vehicle for the Council to address Common Values and give staff resources to provide core services.

Analysis.

The attached resolution proposes modifications to the Town's current FY 2022 budget. The resolution represents the 2022 amended budget divided into budget divisions (Mayor & Council, Municipal Judge, Town Attorney, etc.). Significant items include budget amendment of \$30,000 paint project increases, \$25,000 Town Parking Study, \$80,393 for START wage and bonus increases, \$241,000 for Well #9 contract, \$109,674 for wastewater treatment plant review and \$202,000 in various Information Technology capital projects. Of the expenditures, \$272,666 are uncompleted FY2021 budgeted projects being rolled over into FY2022. \$396,216 in new revenues include property taxes, a Teton Conservation District grant related to wastewater treatment plant review and Teton County contributions for START wage and bonus increase.

Possible Alternatives.

None

Comprehensive Plan & Priority Alignment.

Common Value #3 - Quality of Life, Section 8. Quality Community Service Provision

- Principle 8.1- Maintain current, coordinated service delivery
 - Policy 8.1.e: Budget for service delivery
- Principle 8.2- Coordinate the provision of infrastructure and facilities needed for service delivery
 - Policy 8.1.S.1: Use budgeting to affirm desired service levels from government service providers that address all policies of Principle 8.1.

Fiscal Impact.

The proposed budget adjustments in the attached resolution include only the updates where current division estimates vary significantly from current budget. The proposed budget adjustments do not address small and relatively immaterial variances between expectations and budget.

Staff Impact.

Town Manager and Directors spend about 20 hours a month reviewing budget. About 10 hours is spent drafting quarterly budget amendments, Adoption of the resolution will require printing, signatures, and permanent record storage and archiving and will be approximately 1 hour of work by the Town Clerk.

Attachments or Links.

Resolution 21-27 adopting amendments to the Fiscal Year 2022 Budget.
Exhibit A – Schedule of Increases/Decreases.

Suggested Motion. *Council always has the option to adopt, approve with conditions, continue, or deny items.*

I move to approve Resolution 21-27 adopting amendments to the fiscal year 2022 budget.

RESOLUTION 21-27

**A RESOLUTION ADOPTING AMENDMENTS TO THE FISCAL YEAR 2022 BUDGET
OF THE TOWN OF JACKSON.**

WHEREAS, pursuant to Wyoming Statutes, the governing body of the Town of Jackson is empowered to control the finances of the Town including adopting and amending the annual budget; and

WHEREAS, the specific statutory requirements for budgeting procedures are stipulated in the Uniform Municipal Fiscal Procedures Act (W.S. 16-4-101 through 16-4-124); and

NOW THEREFORE BE IT RESOLVED by the Town Council of the Town of Jackson that the fiscal year 2022 budget is hereby amended as follows:

EXPENDITURES AND OTHER USES	Approved Budget	Increase (Decrease)	Amended Budget
Mayor & Town Council	895,091	(500,000)	395,091
Town Attorney	547,795	-	547,795
Municipal Judge	279,131	-	279,131
Administration	310,836	-	310,836
Town Clerk & Personnel	780,755	-	780,755
Finance	638,047	-	638,047
Community Development	640,305	-	640,305
Information Technology	850,143	-	850,143
Planning	911,374	-	911,374
Town-Wide Services	327,562	-	327,562
Town Facilities	739,306	-	739,306
Police - Administration	645,505	3,482	648,987
Police - Investigations	646,819	-	646,819
Police - Patrol	3,546,493	-	3,546,493
Police - Community Service	578,580	-	578,580
Police - Special Operations	21,176	-	21,176
Victim Services	341,592	-	341,592
Animal Shelter/Control	284,925	-	284,925
Building Inspections	441,805	-	441,805
Public Works Administration	341,796	-	341,796
Streets	1,792,345	30,000	1,822,345
Engineering	619,333	-	619,333
Yard Operations	49,709	-	49,709
Cemetery	18,990	6,410	25,400
Social Services	1,114,659	-	1,114,659
Community Initiatives	296,300	(3,000)	293,300
County-Budgeted Joint Programs	3,988,638	-	3,988,638
Transfers Out	8,087,686	-	8,087,686
Total General Fund	<u>29,736,696</u>	<u>(463,108)</u>	<u>29,273,588</u>
Affordable Housing	<u>1,587,444</u>	<u>-</u>	<u>1,587,444</u>
Total Affordable Housing Fund	<u>1,587,444</u>	<u>-</u>	<u>1,587,444</u>
Parking Exactions Fund	<u>1,600</u>	<u>25,000</u>	<u>26,600</u>
Total Parking Exactions Fund	<u>1,600</u>	<u>25,000</u>	<u>26,600</u>
Parks Exactions	<u>30,000</u>	<u>-</u>	<u>30,000</u>
Total Park Exactions	<u>30,000</u>	<u>-</u>	<u>30,000</u>
Employee Housing Fund	<u>553,203</u>	<u>1,000</u>	<u>554,203</u>
Total Employee Housing Fund	<u>553,203</u>	<u>1,000</u>	<u>554,203</u>
Animal Care Fund	<u>20,000</u>	<u>-</u>	<u>20,000</u>
Transfers Out	<u>35,000</u>	<u>-</u>	<u>35,000</u>
Total Animal Care Fund	<u>55,000</u>	<u>-</u>	<u>55,000</u>
Lodging Tax Fund	<u>327,156</u>	<u>-</u>	<u>327,156</u>
Transfers Out	<u>804,810</u>	<u>315,508</u>	<u>1,120,318</u>
Total Lodging Tax Fund	<u>1,131,966</u>	<u>315,508</u>	<u>1,447,474</u>
START Administration	<u>1,519,766</u>	<u>-</u>	<u>1,519,766</u>
START Operations	<u>5,012,820</u>	<u>80,393</u>	<u>5,093,213</u>
START Capital	<u>5,468,567</u>	<u>-</u>	<u>5,468,567</u>
START Transfers	<u>120,680</u>	<u>(15,000)</u>	<u>105,680</u>
Total START Fund Expenditures	<u>12,121,833</u>	<u>65,393</u>	<u>12,187,226</u>
Capital Outlay	<u>5,669,607</u>	<u>-</u>	<u>5,669,607</u>
Transfers Out	<u>640,000</u>	<u>-</u>	<u>640,000</u>
Total Capital Projects Fund	<u>6,309,607</u>	<u>-</u>	<u>6,309,607</u>

EXPENDITURES AND OTHER USES	Approved Budget	Increase (Decrease)	Amended Budget
Capital Outlay	-	-	-
Total 2006 SPET	-	-	-
Capital Outlay	-	-	-
Total 2010 SPET	-	-	-
Capital Outlay	130,000	-	130,000
Total 2014 SPET	130,000	-	130,000
Capital Outlay	20,000	-	20,000
Total 2016 SPET	20,000	-	20,000
Capital Outlay	414,928	-	414,928
Total 2017 SPET	414,928	-	414,928
Capital Outlay	6,000,000	-	6,000,000
Total 2019 SPET	6,000,000	-	6,000,000
Water Maintenance & Operation	939,235	-	939,235
Water Wells	254,374	-	254,374
Water Billing & Accounting	251,355	-	251,355
Water Capital Outlay & Improvements	1,012,000	241,000	1,253,000
Water Debt Service	66,970	-	66,970
Water Transfers Out	689,246	(50,000)	639,246
Sewage Plant Operations	972,163	109,674	1,081,837
Sewage Maint. & Operations	404,344	-	404,344
Sewage Billing & Accounting	251,626	-	251,626
Sewage Capital Outlay & Improvements	1,105,500	-	1,105,500
Sewage Transfers Out	689,246	(50,000)	639,246
Total Enterprise Funds	6,636,059	250,674	6,886,733
Employee Insurance	2,850,726	-	2,850,726
Total Insurance Fund	2,850,726	-	2,850,726
Fleet Expenditures	2,063,395	33,161	2,096,556
Total Fleet Management Fund	2,063,395	33,161	2,096,556
Central Equipment Expenses	549,500	-	549,500
Total Central Equipment Fund	549,500	-	549,500
IT Services	1,226,628	167,158	1,393,786
Total IT Service Fund	1,226,628	167,158	1,393,786
REVENUES AND OTHER SOURCES	Approved Budget	Increase (Decrease)	Amended Budget
Taxes	9,019,898	302,000	9,321,898
Licenses & Permits	1,279,143	-	1,279,143
Intergovernmental Revenue	12,433,361	-	12,433,361
Charges for Services	656,549	-	656,549
Fines & Forfeitures	350,000	-	350,000
Miscellaneous Revenue	370,463	-	370,463
Transfers In	1,610,916	(115,000)	1,495,916
Total General Fund	25,720,330	187,000	25,907,330
Licenses & Permits	250,000	-	250,000
Miscellaneous Revenue	12,400	-	12,400
Transfers In	1,462,444	-	1,462,444
Total Affordable Housing Fund	1,724,844	-	1,724,844
Licenses & Permits	101,000	-	101,000
Miscellaneous Revenue	14,500	-	14,500
Transfers In	250,000	-	250,000
Total Parking Exactions	365,500	-	365,500
Licenses & Permits	40,000	-	40,000
Miscellaneous Revenue	1,300	-	1,300
Total Park Exactions	41,300	-	41,300
Miscellaneous Revenue	543,060	-	543,060
Transfers In	500,000	-	500,000
Total Employee Housing Fund	1,043,060	-	1,043,060

REVENUES AND OTHER SOURCES	Approved Budget	Increase (Decrease)	Amended Budget
Miscellaneous Revenue	60,200	-	60,200
Total Animal Care Fund	60,200	-	60,200
Taxes	918,085	-	918,085
Miscellaneous Revenue	3,600	-	3,600
Total Lodging Tax Fund	921,685		921,685
Intergovernmental Revenue	9,089,719	44,216	9,133,935
Charges for Services	1,413,624	(279,331)	1,134,293
Miscellaneous Revenue	13,000	-	13,000
Transfers In	1,154,810	315,508	1,470,318
Total START Fund Revenues	11,671,153	80,393	11,751,546
Intergovernmental	649,434	-	649,434
Miscellaneous Revenue	161,341	-	161,341
Transfers In	5,450,242	-	5,450,242
Total Capital Projects Fund	6,261,017	-	6,261,017
Miscellaneous Revenue	2,200	-	2,200
Total 2006 SPET	2,200		2,200
Miscellaneous Revenue	1,400	-	1,400
Total 2010 SPET	1,400		1,400
Miscellaneous	15,100	-	15,100
Total 2014 SPET	15,100		15,100
Miscellaneous	3,300	-	3,300
Total 2016 SPET	3,300	-	3,300
Miscellaneous	4,100	-	4,100
Total 2017 SPET	4,100	-	4,100
Taxes	6,147,490	-	6,147,490
Miscellaneous	48,128	-	48,128
Total 2019 SPET	6,195,618	-	6,195,618
Water Intergovernmental	-	-	-
Water Charges for Services	2,839,893	-	2,839,893
Water Miscellaneous	79,720	-	79,720
Water Transfers In	320,000	-	320,000
Sewage Intergovernmental	-	50,000	50,000
Sewage Charges for Services	2,774,425	-	2,774,425
Sewage Miscellaneous	54,200	-	54,200
Sewage Transfers In	320,000	-	320,000
Total Enterprise Funds	6,388,238	50,000	6,438,238
Charges for Services	2,718,099	-	2,718,099
Miscellaneous Revenue	10,600	-	10,600
Total Employee Insurance Fund	2,728,699	-	2,728,699
Charges for Services	1,911,318	-	1,911,318
Miscellaneous Revenue	600	-	600
Transfers In	75,000	-	75,000
Total Fleet Management Fund	1,986,918	-	1,986,918
Charges for Services	582,300	-	582,300
Miscellaneous Revenue	3,900	-	3,900
Total Central Equipment Fund	586,200	-	586,200
Charges for Services	1,317,446	-	1,317,446
Miscellaneous Revenue	1,000	-	1,000
Total IT Service Fund	1,318,446	-	1,318,446

CHANGE OF FUND BALANCE	Approved Budget	Increase (Decrease)	Amended Budget
General Fund	(4,016,366)	650,108	(3,366,258)
Affordable Housing	137,400	-	137,400
Parking Exactions Fund	363,900	(25,000)	338,900
Park Exactions Fund	11,300	-	11,300
Employee Housing Fund	489,857	(1,000)	488,857
Animal Care Fund	5,200	-	5,200
Lodging Tax Fund	(210,281)	(315,508)	(525,789)
Start Fund	(450,680)	15,000	(435,680)
Capital Projects	(48,590)	-	(48,590)
2006 SPET	2,200	-	2,200
2010 SPET	1,400	-	1,400
2014 SPET	(114,900)	-	(114,900)
2016 SPET	(16,700)	-	(16,700)
2017 SPET	(410,828)	-	(410,828)
2019 SPET	195,618	-	195,618
Enterprise Funds	(247,821)	(200,674)	(448,495)
Employee Insurance Fund	(122,027)	-	(122,027)
Fleet Management Fund	(76,477)	(33,161)	(109,638)
Central Equipment Fund	36,700	-	36,700
IT Services Fund	91,818	(167,158)	(75,340)

PASSED, APPROVED, & ADOPTED this 18st day of October , 2021

Town of Jackson

By: _____
Hailey Morton Levinson
Mayor

ATTEST:

By: _____
Lynsey Lenamond
Town Clerk

Exhibit A -Schedule of Increases\Decreases

General Fund Expenditures and Other Uses		
Mayor & Council		
Contingency	(500,000)	Incorrectly included in budget resolution
Patrol - Administration		
Salaries & Benefits	3,482	Salary adjustments
Streets		
R & M - Paint Projects	30,000	Cost increase and extra paint costs
Community Initiatives		
4th of July Fireworks	(3,000)	Incorrectly included in budget resolution
Cemetery		
Salaries & Benefits	4,410	Salary adjustments
Professional Services	2,000	New request for Cemetery CIP Design Work
Total General Fund	(463,108)	
Special Revenue Fund Expenditures and Other Uses		
Employee Housing Fund		
R&M - 955 Maple Way	1,000	Utility adjustments
Parking Exactions Fund		
Town Parking Study	25,000	FY2021 Project Budget Roll-Over
START Operations		
Salaries & Benefits	80,393	Winter season wage and bonus increase approved at 9/20/2021 Council meeting
START Transfers Out		
Indirect Cost Allocations	(15,000)	Incorrectly included in budget resolution
Lodging Tax Fund		
Transfer to Start Bus System	36,177	Winter season wage and bonus increase approved at 9/20/2021 Council meeting
Transfer to Start Bus System	279,331	Build grant adjustment
Total Special Revenue Funds	406,901	
Water Fund Expenditures and Other Uses		
Capital Outlay		
Well #9	241,000	Contract approved at 8/2/2021 Council meeting
Transfers Out		
Indirect Cost Allocation - GF	(50,000)	Incorrectly included in budget resolution
Total Water Fund	191,000	
Sewer Fund Expenditures and Other Uses		
Plant Operations		
Professional Services	109,674	WWTP Review Contract approved at 10/4/2021 Council meeting
Transfers Out		
Indirect Cost Allocation - GF	(50,000)	Incorrectly included in budget resolution
Total Sewage Fund	59,674	
Internal Service Fund Expenditures and Other Uses		
IT Service Fund		
Server SAN replacement	70,000	FY2021 Capital Project Budget Roll-Over
SmartGov Planning Platform	27,158	FY2021 Capital Project Budget Roll-Over
Server Virtualization Platform	20,000	FY2021 Capital Project Budget Roll-Over
Network Switch for Snow King C	10,000	FY2021 Capital Project Budget Roll-Over
Neptune Water Meter Platform	30,000	FY2021 Capital Project Budget Roll-Over
Water dept SCADA system	10,000	FY2021 Capital Project Budget Roll-Over
Fleet Management Fund		
Repair & Maint - Fuel Depot	33,161	FY2021 Capital Project Budget Roll-Over
Total Internal Service Fund	200,319	
Total Expenditures and Other Uses	394,786	

General Fund Revenues and Other Sources

Property Taxes	252,000	Property Tax approved at 6/21/2021 Council Meeting
Motor Vehicle Fees	50,000	Motor vehicle fees distribution related to property tax
Transfer In - Utility Funds	(100,000)	Incorrectly included in budget resolution
Transfer In - START Fund	(15,000)	Incorrectly included in budget resolution
Total General Fund	187,000	

Special Revenue Fund**START Fund**

Teton County Grant - Operation	44,216	Winter season wage and bonus increase approved at 9/20/2021 Council meeting
Transfer In - Town Lodging Tax	36,177	Winter season wage and bonus increase approved at 9/20/2021 Council meeting
Transit Contract Fares	(279,331)	Build grant adjustment
Transfer In - Town Lodging Tax	279,331	Build grant adjustment
Total Special Revenue Fund	80,393	

Sewer Revenues and Other Sources

Teton Conservation District	50,000	WWTP Review Grant - Teton Conservation District
Total Sewer Revenues and Other Sources	50,000	

Total Revenues and Other Sources	317,393
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ORDINANCE O

AN ORDINANCE AMENDING AND REENACTING SECTION 1 OF TOWN OF JACKSON ORDINANCE NOS. 1214 AND 1221 AND SECTIONS 2.2.6 AND 6.1.1 OF THE TOWN OF JACKSON LAND DEVELOPMENT REGULATIONS REGARDING ALLOWED USES IN THE NEIGHBORHOOD LOW DENSITY-5 (NL-5) ZONING DISTRICT.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF JACKSON, WYOMING, IN REGULAR SESSION DULY ASSEMBLED THAT:

SECTION I.

Section 1 of Town of Jackson Ordinance Nos. 1214 and No. 1221, and Sections 2.2.6 and 6.1.1 of the Town of Jackson Land Development Regulations are hereby amended and reenacted to read as follows:

(See next page)

2.2.6. NL-5 Neighborhood Low Density-5 (3/6/19, Ord. 1214)

B.3. Scale of Development

Scale of Development (Sec. 9.4.13.)	
Floor area ratio (FAR max)	
1 unit	.30
2 units	.35
3 units	.40 E.3
All other allowed uses	.40
Individual Building (max gross floor area)	10,000 sf

C. Allowed Uses and Use Standards

1. Allowed Uses				2. Use Requirements	
Use	Permit	Density (max)	Individual Use (max)	Parking (min) (Div. 6.2.)	Affordable Workforce Housing Units (min) (Div. 6.3.)
Open Space					
Agriculture (6.1.3.B.)	B	n/a	n/a	n/a	exempt
Residential					
Detached Single-Family Unit (6.1.4.B.) (E.1)	Y	(E.1)	8,000 sf habitable-excluding basement	2/DU	$0.000017(sf) + (Exp(-15.49 + 1.59*Ln(sf)))/2.176$
Attached Single-Family (6.1.4.C)	B	(E.1)		<u>1/DU if < 2 bedrooms and < 500 sf; otherwise, 1.5/DU</u>	exempt (E.3)
Apartment (6.1.4.D.) (E.2)	B	(E.1)		1/DU if < 2 bedrooms and < 500 sf; otherwise, 1.5/DU	exempt
Dormitory (6.1.4.F.)	C	n/a	n/a	1/bed	exempt
Group Home (6.1.4.G.)	C	n/a	n/a	0.5/bed	exempt
Institutional					
Assembly (6.1.8.B.)	C	n/a	n/a	independent calculation	independent calculation
Transportation/Infrastructure					
Utility Facility (6.1.10.C.)	C	n/a	n/a	1/employee + 1/stored vehicle	$0.000123 * sf$

Y=Use allowed, no use permit required, B=Basic Use Permit (Sec. 8.4.2.), C=Conditional Use Permit (Sec. 8.4.3.),

D.1. Allowed Subdivision and Development Options

Allowed Subdivision Options			
Land Division	7,500 sf	(Sec. 7.2.3.)	
Condominium/Townhouse	n/a	(Sec. 7.2.4.)	

E. Additional Zone-specific Standards

E. Additional Zone-specific Standards

The following standards apply in addition to all other standards applicable in the NL-5 zone.

1. **Single-Family Detached, Single-Family Attached, Apartment, or ARU.** No more than 3 units of any combination are permitted on the lot.
2. **Apartment and ARU Occupancy.** Occupancy of an apartment or ARU shall be restricted to persons employed within Teton County, in accordance with the Jackson/Teton County Housing Rules and Regulations or the occupants shall be members of the same family occupying the principal dwelling unit, such as parents or adult children, or intermittent, nonpaying guests
3. **Condominium or Townhouse.** Condominium or Townhouse subdivision is only allowed if all units on the property are permanently deed restricted to the satisfaction of the Jackson/Teton County Housing Department. The Restriction must permanently restrict use and occupancy of each dwelling unit to households that work locally and occupy the unit as their primary residence. If three units are built on a site or lot, an additional 600 sf of above-ground floor area shall be granted.

6.1.1. Use Schedule (3/5/19, Ord. 1221)

F. Use Table

Use Schedule: Town Character Zones															
USE CATEGORY	Complete Neighborhood Zones														Rural Area Zones
Specific Use	NL-1	NL-2	NL-3	NL-4	NL-5	NM-1	NM-2	NH-1	DC	CR-1	CR-2	CR-3	OR	n/a	Def/ Stds
Open Space															6.1.3
Agriculture	B	B	B	B	B ^Z	B	--		--	--	--	--	--	--	6.1.3.B
Outdoor Recreation	--	--	--	--	--	--	--	--	--	--	--	--	--	--	6.1.3.C
Residential															6.1.4
Detached Single-Family Unit	Y	Y	Y	Y	Y ^Z	Y	Y	Y	--	--	--	--	--	--	6.1.4.B
Attached Single-Family Unit	--	--	--	--	B ^Z	B	B ^Z	B	B	B	B	B	B	--	6.1.4.C
Apartment	--	--	--	--	B ^Z	B	B ^Z	B	B	B	B	B	B	--	6.1.4.D
Mobile Home	--	--	--	--	--	--	--	--	--	--	--	--	--	--	6.1.4.E
Dormitory	--	--	--	--	C	C	B	C	C	C	C	B	C	--	6.1.4.F
Group Home	C ^Z	C ^Z	--	--	C	C	B	C	C	C	C	C	C	--	6.1.4.G

SECTION II.

All ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION III.

If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed as a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of the ordinance.

SECTION VI.

This Ordinance shall become effective after its passage, approval and publication.

PASSED 1ST READING THE _____ DAY OF _____, 2021.

PASSED 2ND READING THE _____ DAY OF _____, 2021.

PASSED AND APPROVED THE _____ DAY OF _____, 2021.

TOWN OF JACKSON

BY: _____
Hailey Morton Levinson, Mayor

ATTEST:

BY: _____
Lynsey Lenamond, Town Clerk

ATTESTATION OF TOWN CLERK

STATE OF WYOMING)
) ss.
COUNTY OF TETON)

I hereby certify that the foregoing Ordinance No. was duly published in the Jackson Hole News and Guide, a newspaper of general circulation published in the Town of Jackson, Wyoming, on the _____ day of _____, 2021.

I further certify that the foregoing Ordinance was duly recorded on page _____ of Book _____ of Ordinances of the Town of Jackson, Wyoming.

Lynsey Lenamond, Town Clerk

STAFF REPORT



Meeting Date:	October 18, 2021	Meeting Title:	Council Regular Meeting
Submitting Department:	Administration	Presenter:	Roxanne Robinson
Agenda Item:	Ordinance Q Absences and Vacancies in Elected Office	Public Comment:	Yes

Purpose & Policy Considerations.

The purpose of this item is for Council to consider an ordinance specifying the procedure for determining whether a vacancy exists in the office of Mayor or Town Council, which Wyoming Statute §15-1-107 requires the governing body have by ordinance.

Requested Action.

The requested action is to adopt ordinance Q on first reading either as presented or with changes.

Recommendations.

Staff recommends Council adopt ordinance Q on first reading as presented.

Background.

In preparing the update to the Rules and Procedures for the conduct of Town Council meetings, staff found that the Town Council had not adopted, by ordinance, a procedure for determining whether a vacancy exists in the office of Mayor or Town Council. Staff surveyed numerous ordinances to develop the draft vacancy ordinance that was presented on October 11, 2021. Staff has also worked to refine the ordinance presented for this meeting and address concerns raised by the Council on October 11, 2021. The proposed ordinance adds a section to Title 2 of the Municipal Code addressing this issue.

As noted in the attached ordinance, there are provisions for excusing absences, requiring a resolution to declare a vacancy, standardizing filling of vacancies, and setting out the duty of the Vice Mayor to serve in the Mayor's place in specific circumstances.

At the October 11, 2021 Special Meeting, Council discussed adding specific situations of absence to the ordinance that would be deemed excused. In preparing to do so, the Town Attorney reviewed the statute again. While some places, though few, have baked-in excused absences in law, the Town Attorney does not advise doing so in Wyoming because Wyo. Stat. Ann. § 15-1-107(a) provides that vacancy occurs when a councilmember "[f]ails to attend four (4) or more consecutive regularly scheduled meetings of the council **without an excused absence as determined by a majority of the council** according to procedures adopted [by ordinance]" As a result, absence should be excused by majority determination of Council.

The compromise to get closer to Council's goal of memorializing reasons for absence it sees as objectively worthy of being excused is to add a provision in the Council Rules and Procedures. The Town Attorney provides the following as an initial draft for discussion:

The following reasons for a Councilmember or Mayoral absence(s) are considered excused, however any excusal shall be determined by a majority of Council pursuant to Wyo. Stat. Ann. § 15-1-107, as amended:

- *For the birth and care of the newborn child of a Councilmember or the Mayor;*
- *For placement with a Councilmember or the Mayor of a child for adoption or foster care;*
- *To care for a Councilmember or the Mayor's immediate family member (spouse, child, or parent) with a serious health condition; or*

- *To take medical leave when a Councilmember or the Mayor is unable to participate because of a serious health condition.*

The draft above includes only the limited reasons the Family and Medical Leave Act addresses, as discussed and requested by Council on October 11.

Council also requested research regarding other examples of cities or states that, by law, deem some absences as not creating a vacancy in office. The only common example, which was previously mentioned, is military service. For example, Nebraska provides “[t]he acceptance of a commission to any military or naval office or the enlistment in or induction into the military or naval service of the United States which may require an incumbent in an elective office . . . to exercise military or naval duties within or without the state for any period of time within the term for which such person has been elected or appointed shall not create a vacancy of such office.”

Notably, the standard practice is not to list the reasons why absence would or would not create a vacancy, but rather to leave that determination to the sitting governing body at the time the absence(s) occurs and to determine a vacancy by affirmative action.

These potential revisions to the Council Rules and Procedures are also noted in the staff report associated with the Council Rules and Procedures action item for October 18, 2021.

Stakeholders involved in the Rules and Procedures and the ordinance addressing vacancies would include members of the Town Council, Town staff in having continuity for a 2-year elected term, constituents in the community that voted for members of the Town Council, and the public attending Town Council meetings.

Analysis.

The desired outcome is to adopt an ordinance for a procedure regarding vacancies in elected office. As with other ordinances, 3 readings are required with at least 10 days between 1st and 3rd reading, and advertisement prior to taking effect. Should Council adopt Ordinance Q on first reading, it will be presented for second reading at the November 1 meeting and for third reading at the November 15 meeting. The Ordinance would be advertised on November 17 and become effective.

Possible Alternatives.

Comprehensive Plan & Priority Alignment.

Fiscal Impact.

Once approved on 3rd reading the ordinance will need to be advertised and the cost ranges between \$400 and \$1000 depending on the length.

Staff Impact.

Staff has spent approximately 40 hours preparing and researching issues surrounding the ordinance. There will be additional staff impact of approximately 2 hours related to codifying the ordinance, prepping the ordinance for advertisement, printing and obtaining signatures for the permanent records books, posting on the website, etc.

Attachments or Links.

Ordinance Q

Suggested Motion. *Council always has the option to adopt, approve with conditions, continue, or deny items.*

I move to approve Ordinance Q regarding absence and vacancy in elected office on first reading as presented.

ORDINANCE Q

AN ORDINANCE ADDING SECTION 2.04.060 AND 2.04.070 TO THE TOWN OF JACKSON MUNICIPAL CODE REGARDING ABSENCE AND VACANCY IN ELECTED OFFICE AND PROVIDING FOR AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF JACKSON, WYOMING, IN REGULAR SESSION DULY ASSEMBLED THAT:

SECTION I.

There is hereby added Section 2.04.060 and 2.04.070 to the Jackson Municipal Code to read as follows:

2.04.060 Excused Absences; Vacancies; Procedure for filling.

A. Excusing absences. Members of the governing body may be excused from attendance at any meeting of the governing body at any time by a simple majority vote of the governing body.

B. Resolution declaring vacancy required.

1. In order to declare a vacancy exists in the office of Mayor or Town Council pursuant to W.S. §15-1-107, the governing body must adopt a resolution declaring such.
2. The procedure for filling either a Council office or that of the Mayor may not begin until a resolution pursuant to section B.1 is adopted.

C. Filling a vacancy in the office of Mayor. If the office of Mayor is declared vacant, the procedure for appointment to fill such vacancy shall include at a minimum:

1. The Vice Mayor, or in their absence, a senior member of the Town Council will, at a regular or special meeting of the Town Council, call for nominations from the Council to determine who among them shall fill the office of Mayor until the next general election. Each Councilmember is limited to one nomination.
2. The Vice Mayor, or in their absence, a senior member of the Town Council, shall then call for a motion to vote on the member of the governing body who will fill the office of Mayor. The governing body shall select the Mayor by successive votes, if necessary, until one of the nominees receives a simple majority of the votes.
3. The member selected to fill the Mayoral vacancy will be required to resign their Council office when sworn in as Mayor.

D. Filling a vacancy in Council office. If a vacancy in the office of Council is declared, the procedure for appointment to fill such vacancy shall include at a minimum:

1. Applications shall be filed in writing to the Town Clerk on a form prepared by the Town Clerk. Applicants must meet all qualifications pursuant to the state law and applicable Town ordinances to be considered for or hold office.
2. The Town Council shall select and publicly interview a maximum of five qualified applicants at a regular or special meeting of the Town Council.
3. Appointment shall be by motion and simple majority vote of the Town Council at a regular or special meeting of the Town Council.
4. The governing body shall select the appointee by successive votes, if necessary, until one of the qualified applicants receives a simple majority of the votes.

E. Simultaneous vacancies: If vacancies are determined to have occurred simultaneously, the governing body shall establish by majority vote the sequence in which the vacancies are filled.

2.04.070 Vice Mayor.

A. Pursuant to W.S. § 15-1-108(a)(i), the Mayor shall designate a Councilmember to serve as mayor pro tem or Vice Mayor in the Mayor's absence or inability to perform the duties of the Mayor.

(Ord. _____ § 1, 2021)

SECTION II.

All ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION III.

If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed as a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of the ordinance.

SECTION IV.

This Ordinance shall become effective after its passage, approval and publication.

PASSED 1ST READING THE _____ DAY OF _____ 20____.
PASSED 2ND READING THE _____ DAY OF _____ 20____.
PASSED AND APPROVED THE _____ DAY OF _____ 20____.

TOWN OF JACKSON

Hailey Morton Levinson, Mayor

ATTEST:

Lynsey Lenamond, Town Clerk

ATTESTATION OF TOWN CLERK

STATE OF WYOMING)
) ss.
COUNTY OF TETON)

I hereby certify that the foregoing Ordinance No. _____ was duly published in the Jackson Hole News and Guide, a newspaper of general circulation published in the Town of Jackson, Wyoming, on the _____ day of _____ 20____.
I further certify that the foregoing Ordinance was duly recorded on page _____ of Book _____ of Ordinances of the Town of Jackson, Wyoming.

Lynsey Lenamond, Town Clerk

MEMORANDUM

TO: Mayor and Town Council
FR: Larry Pardee, Town Manager
DT: October 18, 2021
RE: Town Manager's Report

Winter Seasonal Housing

Because all of the rental housing units managed by the Town are now either full or reserved for newly hired staff members being hired in the next 6 months, the Town has partnered with several local motels for additional kitchenette units for the winter. We currently have 2 units from the Snow King Motel, 1 unit from the Antler Motel, and up to 10 units each month through the winter from Motel 6. Motel 6 is providing some flexibility in terms of monthly rentals in that if we do not have 10 employees needing the housing for the next month, we are able to turn those units back over to Motel 6 and then we would again have availability for all 10 units at the start of the next month. We have advertised the increased driving and bonus amounts for winter START Operators with little response as of the writing of the Town Manager's report. We are hopeful we will be able to add at least 6 additional operators for Winter.